California
State Oil Spill
Contingency Plan

Prepared by:

California Department of Fish and Wildlife
Office of Spill Prevention and Response

Governor Edmund G. Brown Jr.

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Questions about this
California State Oil Spill Contingency Plan
may be directed to:

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This Plan is also available on the internet at:

http://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=16612

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SECTION I – SPILL REPORTING AND Notification

1.0 OIL SPILL REPORTING AND NOTIFICATION

What to Report – *Unauthorized* Releases of Oil:

- Any amount into or threatening state waters – inland, marine, or groundwater.
- Any amount into a storm drain.
- Any amount onto city and county streets if there is a significant present or potential hazard to human health and safety, the environment, or property.
- Any amount onto state highways and freeways if there is a significant present or potential hazard to human health and safety, the environment, or property.
- Any amount onto land (except for certain San Joaquin Valley oil fields) if there is a significant present or potential hazard to human health and safety, the environment, or property.
- 5 barrels or more *uncontained* in certain San Joaquin Valley oil fields - if no threat to state waters; 10 barrels or more *contained* in certain San Joaquin Valley oil fields - if no threat to state waters. [see Dept. of Conservation "San Joaquin Valley Field Rule"]
- Crude oil release of more than five barrels from a pipeline or flow line in a rural area, if no threat to state waters.

Intentionally false or misleading reports may be a crime. [PC §148.3; HSC §25515; GC §8670.64]

Who to Call:

- **State - California State Warning Center... (800) 852-7550 or (916) 845-8911**
- **Federal - National Response Center……. (800) 424-8802 or (202) 267-2675**
- **Local Government…….. 911 *or other designated local number***

The person or party responsible (RP) responsible for an oil spill must report the spill to the *California State Warning Center*, the *National Response Center*, and the local Certified Unified Program Agency / Administering Agency / Participating Agency (CUPA/AA/PA). The RP may have other reporting obligations. (E.g., permit conditions; and ref. HSC §25507; 19 CCR §2703; WC §13272; GC §§8589.7, 8670.25.5; 14 CCR §§817.02(g), §817.03(g), §818.02(h), §818.03(h), 827.02(d); PRC §3233; 14 CCR §1722; SJV Field Rule ftp://ftp.consrv.ca.gov/pub/oil/regulations/field_rule.pdf; GC 51018; VC §23112.5;]

If a call to 911 does not contact the CUPA/AA/PA, then the CUPA/AA/PA must also be notified. Local CUPA numbers can be found at: http://www.calepa.ca.gov/CUPA/Directory/default.aspx.

A local or state agency responding to a *marine* oil spill must notify the California State Warning Center if the RP has not made this call. [See GC §8670.26]

Upon notice of a potential spill, the California State Warning Center, the National Response Center, or 911 will contact appropriate federal, state, and local agencies. [GC §8589.7, §8670.25.5(b)]

When to Call:

- Immediately upon learning of the release when it can be done safely. [See 19 CCR 2703]
- Spills to marine waters (tidally influenced) must be reported immediately but not later than 30 minutes after the discovery of the spill or threatened spill; also a Qualified Individual or a contracted oil spill response organization should also be contacted within this time. [See GC §8670.25.5; 14 CCR §817.02(g), §817.03(g), §818.02(h), §818.03(h), §827.02(d)]

Spill Notification Updates:
If the initial reported incident information was inaccurate or incomplete, or if the estimate of the volume spilled or at risk of spilling has significantly changed, this should be reported to the California State Warning Center and the National Response Center.

For marine oil spills, an updated estimate of the volume spilled and the volume at immediate risk of spilling must be reported to the California State Warning Center when there is a significant change in the reported amount, but not less than every 12 hours within the first 48 hours of response. The State On-Scene Coordinator or Federal On-Scene Coordinator (SOSC/FOSC) through the Unified Command may increase or decrease this timeframe, as appropriate. Updated spill volume information included in the Incident Action Plan (IAP) developed through the Unified Command will meet this requirement. [14 CCR §817.02(g), §817.03(g), §818.02(h), §818.03(h), §827.02(d)]

For additional information, also see the CalEMA reporting guides:
http://www.calema.ca.gov/HazardousMaterials/Pages/Spill-Release-Reporting.aspx

1.1 Additional Primary State Contacts:

Office of Spill Prevention and Response (OSPR)
Responsible for wildlife and habitat; SOSC for inland and marine surface water spills.
OSPR Spill Desk: (916) 341-6957

Regional Water Quality Control Boards (RWQCB)
Monitors beneficial uses of waterways, ambient water quality, and surface and groundwater contamination.
Via the California State Warning Center: (800) 852-7550

• North Coast: (707) 576-2220 • San Francisco Bay: (510) 622-2300 • Central Coast: (805) 549-3147 • Central Valley: (916) 464-3291 • Lahontan: (530) 542-5400	• Los Angeles: (213) 576-6600 • Santa Ana: (951) 782-4130 • San Diego: (858) 467-2952 • Colorado River Basin: (760) 346-7491

California Highway Patrol (CHP)
Lead agency for spills on highways, and certain other roads.
Via the California State Warning Center: (800) 852-7550

Office of the State Fire Marshal (SFM), Pipeline Safety Division (PSD)
Oversees intrastate and interstate oil and hazardous liquid transportation pipelines.
Via the California State Warning Center: (800) 852-7550

Division of Oil, Gas, & Geothermal Resources (DOGGR)
Oversees oil, gas and geothermal drilling, production, or plugging and abandonment operations.
Via the California State Warning Center: (800) 852-7550
For blowouts and other oil field issues:

• District #1 (Cypress): (714) 816-6847	• District #4 (Bakersfield): (661) 322-4031
• District #2 (Ventura): (805) 654-4761	• District #5 (Coalinga): (209) 935-2941
• District #3 (Santa Maria): (805) 937-7246	• District #6 (Sacramento): (916) 322-1110

State Lands Commission (SLC)
Manages state land and oversees marine oil terminal operations.
Via the California State Warning Center: (800) 852-7550
Office: (562) 497-0859. During non-business hours an answering service will contact the duty officer.

California Coastal Commission (CCC)
Oversees development of California's coastline, except where BCDC has jurisdiction.
Via the California State Warning Center: (800) 852-7550

San Francisco Bay Conservation and Development Commission (BCDC)
Oversees development within San Francisco, San Pablo, and Suisun bays and the bay shoreline.
Via the California State Warning Center: (800) 852-7550

Department of Toxic Substances Control (DTSC)
Regulatory authority for emergency removal of hazardous waste.
24-Hour Toxics Hotline: (916) 255-6504 and (800) 698-6942
Via the California State Warning Center: (800) 852-7550

Air Resources Board (ARB)
Monitors ambient air quality for regulatory and emergency purposes in collaboration with local air districts.
Via the California State Warning Center: (800) 852-7550

Department of Public Health (CDPH)
Oversees public water supplies and emergency water, food, and medical supplies.
Via the California State Warning Center: (800) 852-7550

Office of Environmental Health Hazard Assessment (OEHHA)
Evaluates risks posed by hazardous substances; issues health advisories.
Via the California State Warning Center: (800) 852-7550

1.3 Additional Primary Federal Contacts:

US Coast Guard (USCG) - Sectors:
FOSC for marine oil spills; oversees response actions for discharges of oil into the coastal zone; control of navigable waterways; access to cleanup funding.

- San Francisco Bay: (415) 399-3547
- Los Angeles/Long Beach: (310) 521-3801
- San Diego: (619) 683-6470

US Environmental Protection Agency (US EPA), Region IX
FOSC for inland oil spills; oversees response actions for discharges of oil into the inland zone; provides limited CERCLA pre-declaration assistance for oil spill assessment and cleanup.
General US EPA spill line: (415) 947-4400
Regional 24-Hour emergency response: (415) 227-9500.
For oil spills: (800) 321-7349 or (415) 947-8000
SARA Title III, Emergency Planning and Community Right-to-Know Act (EPCRA): (800) 424-9346

National Oceanic and Atmospheric Administration (NOAA)
Provides scientific support with Scientific Support Coordinators.
24-Hour phone: (206) 526-6317
Office: (510) 437-5344
Cell: (206) 321-3320

Federal Emergency Management Agency, Region IX (FEMA)
Administers the Federal Disaster Assistance Program; supports State response efforts after a declaration of an emergency; provides funding for spill response efforts.
24-Hour Duty Officer: (510) 627-7250

Agency for Toxic Substances and Disease Registry (Department of Health & Human Services)
Assesses public health threats.
24-Hour phone: (404) 498-0120
San Francisco: (415) 947-4316
Message Center: (888) 422-8737

1.4 Miscellaneous Contacts

CHEMTREC - Chemical Transportation Emergency Center
Provides emergency information for chemical releases and fire control measures; assistance with chemical identification; notification of manufacturer and/or shipper.
24-Hour phone: (800) 424-9300

Poison Control Centers
Provides poison/exposure information to emergency personnel and the public; regional hospital capabilities for exposed victims. There are four Centers: Sacramento, San Francisco, Fresno, and San Diego; calls are automatically forwarded to the nearest Center.
24-Hour phone: (800) 876-4766

1.5 EMERGENCY FUNDING – Contact Numbers

If the discharger is unknown, unwilling, or unable to provide an adequate response, the government may have to arrange for abatement and mitigation of the oil spill. (See Section X herein). However, initially the discharger should be asked if they will initiate and pay for timely cleanup.

Surface Water - National Pollution Funds Center
US Coast Guard, NPFC Claims Adjudication Division
(800) 280-7118

Surface and Groundwater - State Water Resources Control Board
Water Pollution Cleanup and Abatement Account
(916) 341-5671

Surface Water, Fish, Wildlife, and Habitat
Fish & Wildlife Pollution Account
(916) 358-1300 [California State Parks Northern Command Center]

Marine Water - Office of Spill Prevention and Response
Oil Spill Response Trust Fund
(916) 358-1300 [California State Parks Northern Command Center]

Oil Fields – Division of Oil, Gas, and Geothermal Resources
(916) 445-9686

Environment or Illegal Drug Labs - Department of Toxic Substances Control
Emergency Reserve Account
Illegal Drug Lab Cleanup Account
(916) 255-6504 or (800) 260-3972

SECTION II - Introduction

2.0 Background and Authority

There have been several versions of the plan throughout the years. The Governor is required to establish a state oil spill contingency plan. [GC §8574.1, *et seq*.; GC §8670.5; GC §8670.7(a)] Beginning in 2010 the Administrator of the Office of Spill Prevention and Response (OSPR) is required to submit to the Governor and the Legislature an amended California Oil Spill Contingency Plan every three years. The Plan must address oil spill contingency planning for both marine and inland surface waterways and terrestrial environments. [GC §8574.8]

The OSPR Administrator is required to implement this Plan. [GC §8670.7(a)(b)]

2.1 Purpose

This California State Oil Spill Contingency Plan is an independent document generally describing the state's response to discharges of oil to all marine or inland surface waterways of California, and for oil spills on land. This version of the Plan supersedes all previous California state oil spill plans (whether statewide or marine specific).

Where an incident may involve oil and a chemical release, an assessment will need to be made whether to prepare for and respond to the incident primarily as an oil spill or primarily as a chemical release. If the an the incident should be handled as a chemical release, then the California *HazMat Tool Kit* and the *Hazardous Materials Incident Contingency Plan* should be referenced, not this Plan. See: http://www.calema.ca.gov/HazardousMaterials/Pages/Hazardous-Materials-Tool-Kit.aspx and http://www.calema.ca.gov/HazardousMaterials/Documents/HMICP%20(1991)%20-%20HazMat%20Incident%20Contingency%20Plan.pdf

2.2 Implementation Authority for this Plan

All state and local agencies should implement this Plan consistent with their respective codified jurisdiction and authority.

All state and local agencies must carry out spill response activities consistent with this Plan and other applicable federal, state, or local spill response plans. [GC §8670.27(a)(2)]

Private vessel and facility oil spill response plans must be consistent with this Plan and the National Response Framework. [GC §8670.28-.29; see http://www.fema.gov/emergency/nrf/]

SECTION III – Primary Authority for Oil Spill Response

3.0 General Summary

This Section sets forth the roles and responsibilities of those State agencies with primary authority for oil spills in California. Oil spill incidents often involve a response from multiple agencies having different jurisdictional authorities, capabilities, and functions. In some circumstances, the jurisdictional mandates of several agencies may overlap. Use of the Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS) to organize spill response ensures that inter-agency responsibilities are collectively addressed (see Section IV).

3.1 Oil Spills In or Threatening State Waters

A. Surface Waters

The OSPR Administrator, subject to the Governor, has the primary authority to direct prevention, removal, abatement, response, containment, and cleanup efforts with regard to all aspects of any oil spill in the waters of the state, both marine and inland waters, including decisions regarding in situ burning, dispersants, and cleanup agents. [GC §8670.7(a), §8670.62; FGC §5655(d)]

The Administrator serves as the State On-Scene Coordinator (SOSC) which means he or she has the overall authority for managing and conducting incident operations during the response to the oil spill. [FGC §5655(e); GC §8670.7] Also, the Administrator represents the State in any coordinated response efforts with the Federal government. [GC §8670.5] The Administrator is California's representative on the federally organized Region IX Regional Response Team (AZ, CA, NV) for surface water pollution. [See *Region IX Regional Contingency Plan* §1002.03.2; https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=15499&inline=true;http://www.rrt.nrt.org/]

Incident management generally includes the development of objectives, strategies and tactics, ordering and release of resources, and coordination with other appropriate response agencies to ensure that all resources are properly utilized and that this coordinating function is performed in a manner designated to minimize risk to other persons and to the environment. [FGC §5655(e)]

Oil spills occurring in waters outside of the state (e.g., from a platform on federal tidal lands or in a river flowing in from Oregon, Nevada, or Mexico) will be monitored by OSPR if wildlife or habitat resources may be threatened. [GC §8670.25.5(a)(2)]

The mission of the Regional Water Quality Control Boards is to develop and enforce objectives and implementation plans that will best protect the State's overall water quality – surface and ground - recognizing local differences in climate, topography, geology, and hydrology. Each Regional Board develops a "Basin Plan" for their hydrologic areas, issues waste discharge requirements, can take enforcement action, and monitors water quality.

B. Groundwater

Generally the local Regional Water Quality Control Board directs cleanup of groundwater pollution and spills to land that threaten groundwater. The CDFW could be involved if wildlife was impacted or at risk. Oil spills threatening or impacting groundwater are likely to be long-term remediation projects.

3.2 Oil Spills on Land (No Release to State Waters)

The *Region IX Regional Contingency Plan* (RCP) provides that the California Emergency Management Agency (CalEMA; becoming Governor's Office of Emergency Services in 2013) has primary responsibility for off-highway spills that do not affect waters of the state. [RCP §1002.03.2]

Additional authority for cleanup direction may come from these agencies, depending on the nature of the spill:

- The Division of Oil, Gas, and Geothermal Resources (DOGGR) is the principal State agency responsible for regulating all oil, gas, and geothermal production operations within the territorial boundaries of California. In the event of an oil spill from a drilling rig or producing facility, DOGGR will be responsible for determining the appropriate actions to be taken to control and secure the source. The State Oil and Gas Supervisor has the authority to determine that an emergency exists.

  When a pollution incident occurs, DOGGR may send a district representative to advise the Incident Commander (IC) on corrective or mitigation actions.

- The Department of Toxic Substances Control (DTSC) provides technical advice regarding the safe handling and suitable disposal of toxic materials. DTSC assists in the assessment, evaluation, and control phases of hazardous material incidents. DTSC brings equipment, technical, and field personnel, toxicologists, and chemists, and assists in data collection.

  DTSC maintains an Emergency Reserve Account for hazardous material incidents to assist local governments and public agencies. The DTSC designates locations for the disposal of hazardous waste and issues emergency identification numbers for non-responsible party incidents**.**

- The CDFW /OSPR would determine when cleanup actions have mitigated impacts or potential impacts on wildlife and habitat.

3.3 Oil Spills on Highways and Roads

A. Local Roads

In the absence of local codes, ordinances, or previously written agreements to the contrary, incident command for an oil spill on a local roadway is vested in the appropriate law enforcement agency having primary traffic investigative authority on the roadway where the incident occurs; generally in cities this will be the Police Department and in the unincorporated areas of a county it will be the Sheriff's Office. [See VC §2454] However, the local governing body may assign this responsibility to the local Fire Protection agency.

Responsibility for incident command at the scene should continue until all emergency operations at the scene have been completed. However, this coordinating function does not include directing how the specialized functions of other responding agencies are to be performed. The Incident Commander should consult with other response agencies at the scene to ensure that all appropriate resources are properly utilized, and should perform this coordinating function in a manner designed to minimize the risk of injury to persons. [See VC §2454]

B. State Highways

The California Highway Patrol (CHP) performs the State On-Scene Coordinator role for oil spills on state highways. CHP acts as the statewide information, assistance, and notification coordinator for all oil spill incidents occurring on highways within the State of California. CHP is required to establish a single notification mechanism to serve as a central focus point for a spill response system for these spills. [VC §2453; RCP §1002.03.2]

3.4 Oil Spills Involving Railroads

The Railroad Accident Prevention and Immediate Deployment Force (RAPID) is responsible for providing immediate onsite response capability in the event of large-scale releases of toxic materials resulting from surface transportation accidents and for implementing the state hazardous materials incident prevention and immediate deployment plan. RAPID must act cooperatively and in concert with existing local emergency response units. [See PUC §7718]

RAPID consists of over seventeen agencies and is created within the California Environmental Protection Agency (CalEPA). A Rail Accident Prevention and Response Fund (RAPRF) with a Hazardous Spill Prevention Account (HSPA) was created in 1991 to support RAPID. [PUC §7713, §7714] But the express statutory fee schedule for funding this program became inoperative at the end of 1995. [PUC §7714.5] However, the mandate for the RAPID body, the RAPRF, and HSPA have not been repealed.

SECTION IV – Response and the Nature of Oil

4.0 General Summary

Since 1996, all California state agencies have been required to use a Standardized Emergency Management System (SEMS) for emergency response activities. [GC §8607] SEMS components include the Incident Command System (ICS), multi-agency coordination, and mutual aid agreements. Local agencies must follow SEMS in order to be eligible for reimbursement from available state funds for their costs incurred during emergency response.

In 2011, a Presidential order directed Federal agencies to use a National Incident Management System (NIMS). [See Presidential Policy Directive / PPD-8: National Preparedness http://www.dhs.gov/presidential-policy-directive-8-national-preparedness] NIMS was developed by the Department of Homeland Security (DHS) to ensure all levels of government across the nation have the capability to work efficiently and effectively together, using a national approach to domestic incident management. The U.S. Coast Guard uses the *Incident Management Handbook* (IMH) as a guidance document for response personnel to assist with organizing the incident command at a pollution incident. [COMDTPUB P3120.17A] In 2005, Governor Schwarzenegger directed state agencies to use NIMS. [California Executive Order S-2-05; http://rimsinland.oes.ca.gov/Operational/OESHome.nsf/PDF/NIMS%20Letters/$file/ExecOrderS-2-05.pdf] Currently, the California Emergency Management Agency (CalEMA) is responsible for coordinating and monitoring California's overall statewide integration of SEMS and NIMS. The IMH should be used for pollution incidents; this also ensures a coordinated, effective response with U.S. Coast Guard representatives and responsible party representatives.

The most important element of SEMS/NIMS is ICS. ICS organization consists of five primary management Sections: Command, Planning, Operations, Logistics, and Finance. The system can grow or shrink to meet incident needs and be applied to a wide variety of emergency and non-emergency situations. As shown in Figure 1, each of the primary ICS Sections may be sub-divided as needed. A basic ICS operating guideline is that the person at the top of the organization is responsible for a given task until the task needs to be delegated to another person. Some positions within these Sections may be filled by representatives of the Responsible Party. However, the Environmental Unit Leader, the Shoreline Cleanup Assessment Team (SCAT) Technical Specialist, and the Resources at Risk (RAR) Technical Specialist within the Planning Section will be filled by either a State or Federal agency with trustee authority for wildlife and habitat resources.

Thus, for small spills the Incident Commander (IC) or a Unified Command (UC) will directly manage all aspects of the incident organization, with perhaps the assistance of a few other people. However, larger incidents usually require that each Section be staffed by different individuals in order to better manage and accomplish the response activities.

Additional NIMS and SEMS information is found at:

- http://www.fema.gov/emergency/nims/index.shtm
- http://www.regulations.gov/#!documentDetail;D=FEMA-2009-0014-0002
- http://www.uscg.mil/hq/nsfweb/docs/FinalIMH18AUG2006.pdf
- http://www.calema.ca.gov/HazardousMaterials/Pages/Spill-Release-Reporting.aspx

General ICS Organizational Structure for a Pollution Incident:

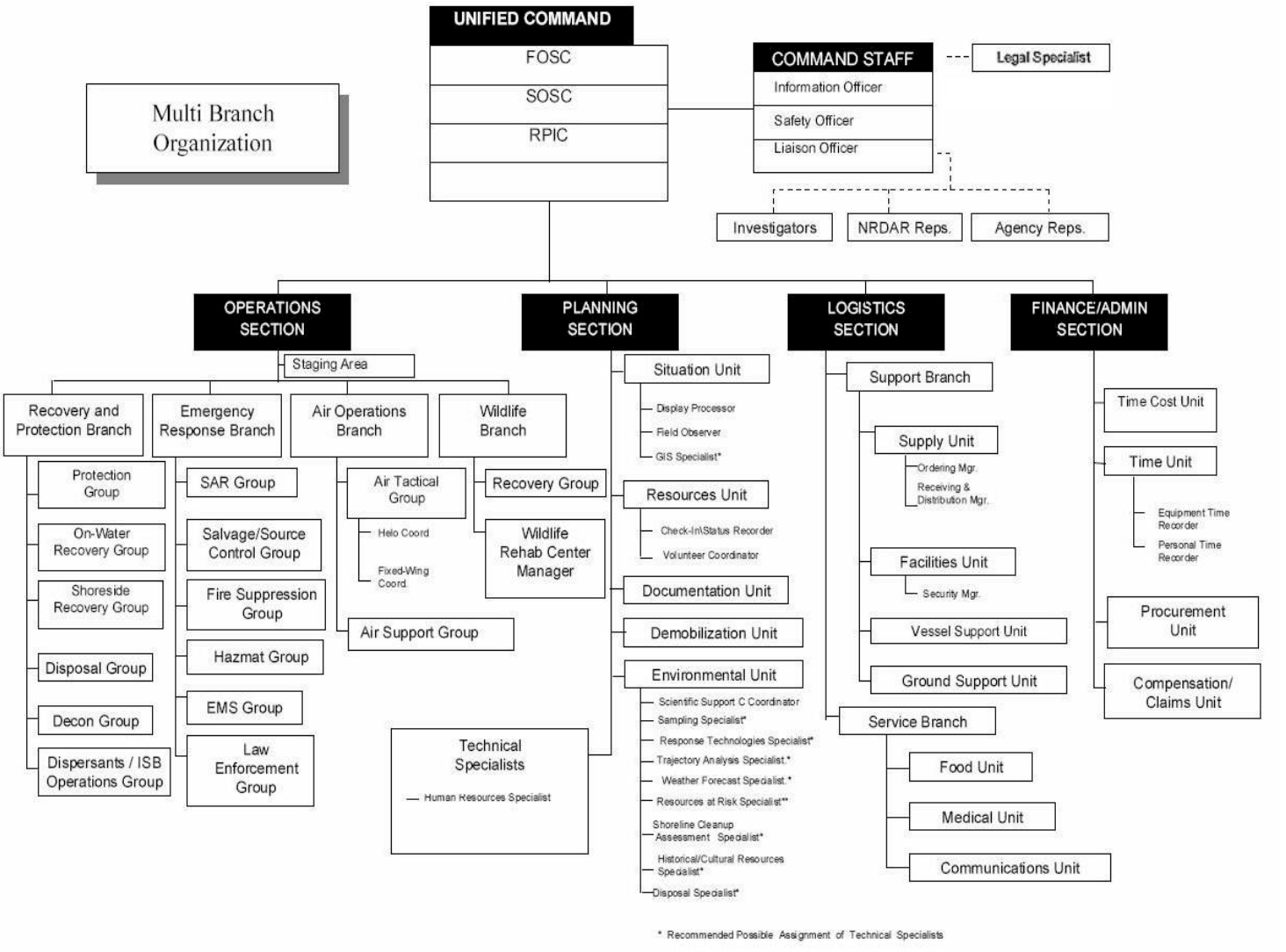


Figure 1

4.1 Discovery and Notification

A spill usually becomes known to an agency by:

- A report made by a person responsible for or involved in the spill.
- A report made by a member of the public.
- Government agency personnel discover the spill during patrols or inspections.

A list of agencies to be notified in the event of an oil spill is contained in Section I of this Plan. The first agency on-scene that has some authority and jurisdiction over the incident should serve as the Incident Commander until a representative from an agency with more appropriate jurisdiction arrives.

4.2 Preliminary Assessment

Removal and cleanup actions must begin as soon as possible to minimize the effect on natural and economic resources. The Responsible Party (RP) is expected to undertake cleanup and spill mitigation efforts as soon as can be done safely; the RP does not need to wait for a government agency to arrive. The RP should manage the spill as appropriate for the size and characteristics of the incident until the proper governmental agencies arrive on-scene to form a Unified Command.

The Responsible Party will be given an opportunity to cleanup the spill, but the Federal, State, or Local agency with jurisdictional authority may take over direction of the cleanup actions if progress is not satisfactory. The Responsible Party will be responsible for all costs and damages in either case.

However, if the oil spill could be the result of a deliberate criminal or terrorist act, then normal cleanup activities and procedures may be significantly modified. There may be issues of national security, multi-site vulnerability, or immediate securement of similar sites in the region or on a national level. In these cases security and law enforcement agencies will serve as the on-scene coordinator. They will likely initiate actions to prevent additional incidents, collect evidence, ascertain witnesses, and try to identify suspects. Cleanup activities will occur when they can be performed safely and without hindering the criminal or terrorist investigation activities.
See http://www.lhc.ca.gov/lhcdir/disaster/StateTerrorismPlan.pdf;

4.3 Physical and Chemical Properties of “Oil”

The term "oil" is applied to both natural and anthropogenic sources, ranging from crude oils to different grades of refined products and other petroleum products. Crude oil is not a uniform substance and its properties vary widely from one location of origin to another. Because of this fact, and the large number of refined petroleum products used, it is difficult to predict the type of oil that might be spilled in marine or inland waters of California.

Carbon and hydrogen are the most abundant elements in crude oil, accounting for more than 95% of the composition. Crude oil may also contain dissolved gases, solids, water, metals, and colloidal particles.

Hydrocarbons are separated from crude oils through distillation and catalyzation processes. The lighter hydrocarbons generally vaporize at lower temperatures. As an example, gasoline would be one of the first products distilled from a crude oil, and lubricating oils are derived from a higher temperature fraction. The majority of compounds that make up residual fuels come from the fraction left behind after most of the lighter fractions are distilled.

The spreading of an oil slick and the subsequent breakup of the oil film, as well as the rates and extent of emulsification, evaporation and biodegradation processes, are all intimately related to the physical and chemical properties of the spilled oil. The physical and chemical characteristics of oil which affect its behavior on water and the efficiency of cleanup operations include density, viscosity, pour point, flash point, solubility in water, and changes in these parameters with time (i.e. “weathering”). Physical and chemical properties of oil are measured at a standard or constant temperature and atmospheric pressure. However, the physical properties of oil will vary depending on local environmental conditions and may vary considerably from values reported for "standard" conditions. The methods for dealing with spilled oil should be based on field observations, even when specific information is available.

Biofuels, such as biodiesel, biolubricants, ethanol, etc., are produced from plant material, vegetable oils, recycled cooking greases and animal fat. The major components of biodiesel and biolubricants are fatty acid methyl esters (FAMEs). For example, the physical and chemical properties of biodiesel are quite different from petroleum derived diesel #2. The pour point of diesel #2 is -30^{o} F while the pour point of 100% biodiesel is 25^{o} F; and when stored, FAMEs can undergo auto-oxidation which can form insoluble material (varnish). The relatively high pour point for biodiesel will affect its behavior in the environment, compared to petroleum derived diesel.

4.4 Oil Weathering Processes

Spilled oil undergoes a progressive series of changes in physical and chemical properties over time which is referred to as “weathering”. Weathering is the loss of certain components of the oil through a series of natural processes which begin when the spill occurs and continues indefinitely while the oil remains in the environment. The process of weathering occurs simultaneously with the spreading and movement of an oil slick. Weathering proceeds at a rate which varies according to the type of oil, the substrate involved (e.g. in water, sand, soil, vegetation) and ambient climatic conditions. Weathering rates are not constant throughout the duration of an oil spill, and are usually highest in the first few hours.

Major processes which contribute to the weathering of spilled oil include evaporation, dissolution, photo oxidation, emulsification (mousse formation), and microbial degradation. The lighter and more volatile components of the spilled oil are lost most rapidly. Consequently, the rate of weathering is highly dependent on the type of oil spilled; light crudes and fuel oils typically weather at a much faster rate than heavy crude or heavy fuel oils which contain a smaller proportion of light fractions.

4.5 Movement of Oil on Water

The natural events that take place following an oil spill on water include the spreading of the oil slick, its direction of movement, and its gradual weathering. The behavior of an oil slick is highly dependent on the type of oil spilled, currents, and on the ambient climatic conditions.

Immediately upon contacting the water surface oil begins to move away from the spill site. It rapidly spreads to a very thin layer under the influence of physical and chemical forces. It also begins to drift under the influence of wind and currents. Each force dominates at a different time during the life of an oil slick. When oil is first spilled in water it begins to spread by gravity. As the slick gets thinner, the driving force for gravitational spreading decreases and the rate of spreading due to this mechanism is less important.

In large oil slicks on water, waves will be partially suppressed and wave transport will be reduced. The movement of an oil slick on the surface of water is determined mainly by the current and wind velocity in the area.

Current velocities depend on wind velocities, geographical latitude, eddy velocity, position in the water column, water depth, and proximity to coasts. Surface currents are directed in a clockwise direction in the Northern Hemisphere, decreasing and turning more to the right with depth.

Winds can be broadly divided into prevailing winds, which vary over time periods of weeks to seasons, and short-term winds which vary over time periods of hours to weeks. Rapidly varying winds, such as gusts, which vary over time periods of seconds to minutes are important for structural design applications but are not of primary importance for oil spill applications.

When wind and water current are in different directions they can interact in a complex manner to break up an oil slick into windrows. Windrows are long, narrow columns of relatively thick oil separated by wide bands of relatively oil-free water. In most models of oil slick drift, the oil is assumed to drift with the same velocity as the surface current. An oil slick on the surface is dragged along by wind friction, but oil dispersed into the water column is not. When wind and water current are not in the same direction, each tends to drive the slick in a different direction at a different speed.

There are a number of oil spill trajectory models suitable for use along the coast of California. OSPR will rely on support from the NOAA for updated trajectory forecasts with current meteorological and oceanographic data, rather than duplicate NOAA resources and efforts.

4.6 Natural and Cultural Resources

After protecting human life and safety, reducing impacts to natural and cultural resources are the highest priorities during oil spill response. The Environmental Unit (EU) is the central point within the Planning Section of ICS for determining how to best protect those resources. Specifically, the EU is responsible for environmental matters associated with the response, such as strategic assessment, modeling, surveillance, and environmental monitoring and permitting. [See IMH, Chp. 8, Planning]

To ensure that early critical response decisions are arrived at quickly and effectively in the EU, it is essential that the Environmental Unit Leader (EUL) possess both local knowledge and the authority to make decisions on behalf of these resources and the people of the state. Trustee agencies are best equipped to provide the needed knowledge base and expertise to fill this role, and have personnel most familiar with local natural resources and resource issues. In addition, trustee agencies possess authority to manage these natural resources and statutory responsibilities to protect them. For these reasons, it is the policy of the State that the EUL position be filled with a representative from a State or Federal natural resource trustee agency, and may be assisted by a deputy-unit leader/coordinator provided by the Responsible Party (RP). As a spill response matures, transition to an RP representative as the EUL may occur with concurrence of the Unified Command. If no such agency representative is initially available or willing to lead the EU, an RP representative may fill the role.

Regarding spills to surface waters, another critical function of the EU is implementation of the Shoreline Cleanup Assessment Teams (SCAT). Within the Planning Section, a SCAT collects the data needed to develop a shoreline cleanup plan that maximizes the recovery of oiled habitats and resources, while minimizing the risk of injury from cleanup efforts. Information from these assessments must meet the requirements of the cleanup operation, being both timely and of uniform quality and content. A SCAT must coordinate their field activities with cleanup operations in the areas being assessed. This coordination ensures that all operations are conducted safely and that important information is exchanged.

The SCAT Coordinator manages the teams and synthesizes their field data into reports used by the EU and Planning Section to support the daily Incident Action Plan (IAP). It is essential that the SCAT Coordinator position be knowledgeable of SCAT duties and spill cleanup methods as well as local shorelines and associated resources. Therefore, it is the policy of the State that the SCAT Coordinator position is filled by qualified staff, such as OSPR/CDFW staff, and may be assisted by a deputy Coordinator provided by the RP. As a spill response matures, a transition to a RP representative to fill the role of SCAT Coordinator may occur with the concurrence of the Unified Command. If no qualified State or Federal staff is initially available to fill the SCAT Coordinator position, an RP representative may fill that role.

The information and recommendations generated by the EU and SCAT are used by the Planning Section and are implemented by the Operations Section.

Cultural and historic resources should be protected using the *California Implementation Guidelines for Federal On-Scene Coordinators for the Programmatic Agreement on Protection of Historic Properties During Emergency Response Under the National Oil and Hazardous Substances Pollution Contingency Plan in the Region IX Regional Contingency Plan*. (Region 9 Response Plan, Appx. XIX)

4.7 Wildlife Operations

California has a Wildlife Response Plan which details the purposes, goals, objectives, responsibilities, and structure of the Wildlife Branch within the ICS. The Plan describes procedures to be used, along with personnel and equipment needed, to meet wildlife protection responsibilities of Federal and State governments during a spill. The current plan can be found at http://www.dfg.ca.gov/ospr/wild-response.aspx.

The primary goal of the Wildlife Branch within the ICS is to provide for coordinated, immediate, and effective protection, rescue, and rehabilitation of, and minimization of risk of injury to Fish & Wildlife resources and habitat during oil spills. The principal objectives during a spill response are to:

- Minimize injuries to wildlife and habitats from contamination;
- Provide best achievable care for injured wildlife; and
- Document adverse effects that result from the spill and cleanup.

These objectives are achieved through hazing, aerial, ground, and on-water wildlife reconnaissance, and recovery, transportation, and care and processing of oiled wildlife.

Although the Wildlife Branch is integrated into the ICS, it is self-directed in many ways and largely self-contained with regard to wildlife response resources (both staff and equipment). The Wildlife Branch gathers much of its own spill information through wildlife reconnaissance, is staffed with pre-trained experts (e.g., biologists, veterinarians, rehabilitation staff, processing staff, capture experts, volunteers), and typically prepares its own sections of the Incident Action Plan for the Planning Section.

Coordination between the Wildlife Branch and other Sections within the ICS is critical. The Wildlife Branch provides the Planning Section and Situation Unit with potential and known wildlife concerns, wildlife reconnaissance data, and wildlife recovery locations. The Planning Section and Operations Section use this information to aid in strategic assessment and for planning response strategies. The Planning Section should use this information to evaluate different response countermeasures and strategies (including “no action”) in order to reduce or prevent adverse effects to wildlife and wildlife habitat from response actions.

Through the Situation Unit and the Environmental Unit in the Planning Section, the Wildlife Branch also provides the UC with updated wildlife statistics during the response. This information is also frequently relayed to the Joint Information Center (JIC) to be used in press releases. The Wildlife Branch needs information from the other Sections as well. For example, the Resources at Risk Specialist in the Environmental Unit can provide information about sensitive species and habitats, maps of sensitive areas, and sensitive cultural resource location information for use when planning Wildlife Branch operations.

To help prepare before spills occur, California first adopted a Wildlife Response Plan in 1999 (revised in 2005 and 2011, now included as Appendix XXII in the Region IX Regional Contingency Plan). The Wildlife Response Plan provides statewide consistency for the responsibilities and capabilities of the Wildlife Branch. The Wildlife Response Plan has been written from the perspective that California Department of Fish and Wildlife, Office of Spill Prevention and Response staff assume the role of Wildlife Branch Director during a spill response. This is a natural consequence because the CDFW:

- Is the lead state trustee agency for California's wildlife and habitat;
- Have permits and agreements with other agencies to care for special status species and other protected wildlife;
- Have legal mandates to protect wildlife, in addition to those of OPA; and
- Have the relevant expertise, training, and experience.

Other than the Wildlife Branch Director, most positions in the Wildlife Branch are filled by staff and volunteers of the Oiled Wildlife Care Network (OWCN). For more information on the OWCN, see Sections 10.1, 13.3, and 14.5.

While the Wildlife Response Plan has been designed principally to cover oil spills in marine waters as required by Federal and State law, it is applicable to inland oil and non-oil spills as well. The organizational structure, roles and responsibilities remain the same, although some functions may be altered, as appropriate.

SECTION V – Containment, Recovery, & Applied Response Technology

5.0 General Authority

In California, the Administrator of OSPR approves the use of all response methods used in surface waters, including *in situ* burning, dispersants, and cleanup agents. [GC §8670.7; FGC §5655] The Administrator also licenses all cleanup agents that might be used in state surface waters. [GC §8670.12 to §8670.13.2] The Administrator is the State's representative on the Region IX Regional Response Team.

Local and regional equipment used in oil spill response and cleanup can be found in the specific County's oil spill contingency plan. These local plans must list all available emergency response supplies and equipment under their control. [Title 14, CCR §852.62.2(b)(1)(E)]

5.1 Containment of Oil

Booms are the primary method used to contain, deflect, or exclude oil floating on water. Containment booms are typically classified according to form or location of use and have the following characteristics:

- A flotation unit or freeboard designed to contain or divert the oil as well as to resist oil splashing over the top;
- A skirt or curtain to prevent oil from being carried beneath the boom;
- A longitudinal strength member (usually, cable, chain, or high tensile strength fabric) that serves to join boom sections and provide anchoring points; and
- A ballast unit or weight designed to hold the skirt perpendicular to the current flow.

Containment booming encircles and contains floating oil so that it can be collected and removed. A simple spill in calm weather and with minimal current movement can be contained by stretching a boom across a waterway perpendicular to the path of the spill. Deflection booming attempts to deflect a slick towards a more desirable recovery site. Deflection booming is used when swift currents render containment booming ineffective. Exclusion booming is largely a protective measure. Instead of being deployed to contain or deflect the oil slick, exclusionary boom is used to protect sensitive areas such as marshlands, water intakes, and shorelines by keeping oil out of an area. Exclusionary booming may have to be coupled with deflection booming to provide the best protection.

Oil spilled on land is often contained with earthen berms, underflow dams, trenches, hay bales, and similar methods.

5.2 Mechanical Recovery of Oil

On surface waters, mechanical cleanup is usually accomplished by containment booming, skimming, and use of vacuums to recover oil from the surface of the water.

Skimmers come in a variety of designs and sizes. Skimming units can be used on spills ranging from minor spills to major offshore disasters. Large skimming vessels are generally used on larger, open-water spills. They are usually self-propelled and are much more expensive to purchase and maintain than small skimming units. The effectiveness of open water skimming operations is determined by oil encounter rates and sea state

Vacuum trucks are usually used to suck up oil and water that has been contained within boom.

“Sorbent pads”, “pom poms”, rags, and similar materials are often deployed for the oil to absorb into or adhere to, as a basic method of oil recovery; but this adds to the amount of waste debris generated by a spill.

In shoreline areas, cleanup efforts are not subject to the same time urgencies as protection efforts. As a result, planning may be conducted with greater attention to detail, injury assessment, selection of techniques, and cost effectiveness. Shoreline cleanup, however, should be implemented as rapidly as possible to reduce the effects of oil migrating to adjacent clean shorelines.

Oil spills on land are often recovered by hand crews and heavy equipment (e.g. shovels, vacuum trucks, excavators, and bulldozers).

5.3.0 Applied Response Technologies – Generally

The following few subsections discuss use of various Applied Response Technologies (ARTs). The National Contingency Plan (NCP) requires that all ARTs be approved by the Region IX, Regional Response Team (RRT) prior to use in spill response. California has additional ART requirements.

Specifically, Federal procedures for authorizing the use of chemical and biological countermeasures are contained in Subpart J of the National Oil and Hazardous Substances Pollution Contingency Plan, 40 CFR Part 300. Unless pre-approval for their use has been given, the FOSC must obtain approval from the US EPA representative to the RRT and the State representative(s) to the RRT from the affected states before they can be applied. In addition, the Region IX Regional Contingency Plan requires approvals from the Department of the Interior and NOAA for use of dispersants. However, the FOSC may authorize the use of chemical and biological countermeasures without the concurrence of the RRT in situations hazardous to human life. The Region IX Regional Contingency Plan currently can be found at:
https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=15499&inline=true

The FOSC may allow use of ARTs within zones where ART use is pre-approved. Use of ARTs outside of pre-approval zones will be approved on a case-by-case basis by the RRT. It is the policy of the RRT to respond to case-by-case approval requests within two hours. Use of ARTs should be considered when the environmental benefit of usage outweighs the adverse effects. The Region IX

Regional Contingency Plan discusses use of the ARTs; but sinking agents are specifically prohibited from use in Region IX.

The OSPR Administrator has state authority over the use of all oil spill response options including use of ARTs. Also, the OSPR Administrator licenses all oil spill cleanup agents; sorbents and other cleanup devices that do not use active chemical agents or are otherwise determined by the Administrator not to cause aquatic toxicity for purposes of oil spill response do not need to be licensed. [See GC §§8670.12 to §8670.13.2]

5.3.1 *In Situ* Burning

In situ burning means burning the oil in place as a means of removal. *In situ* burns can occur on marine waters, fresh waters, or on land. *In situ* burning removes the surface oil by driving much of it into the atmosphere in the form of combustion gases and soot. The Health & Safety Code establishes specific authority for any public officer, including the Governor, to set or permit fires for several mitigation, prevention, and protection purposes, including the remediation of an oil spill [HSC Section 41801(g)]. This application of permitted fires is also in accordance with Section 8670.7 of the Government Code . An issue for decision makers is to compare the effects of burning versus not burning and choose the option that provides the greatest net benefit to the environment, without causing undue public health impacts as shown in Figure 2.

For on-water *in situ* burn operations, oil must be contained in order to maintain a minimum burn thickness. As a result, the technology is limited by any adverse weather or sea state conditions that limit oil containment. *In situ* burning does have the potential to accelerate cleanup of petroleum on surface waters and at the same time reduce the risk of petroleum-related impacts on environmentally sensitive areas.

For burns in marine waters, the Region IX Regional Contingency Plan provides a pre-approval zone starting at 35 miles out to 200 miles from shore, and a case-by-case zone for waters from the shore out to 35 miles. For all other locations in the state, a request for approval to perform an *in situ* burn must be made by the Unified Command to the RRT and in conjunction with permitting authorities in the affected local air district (See Appendix XIII of the Regional Plan)

(*In Situ* Burning Decision-Tree follows)

In-Situ Burning Decision-Making Process
Decision Tree

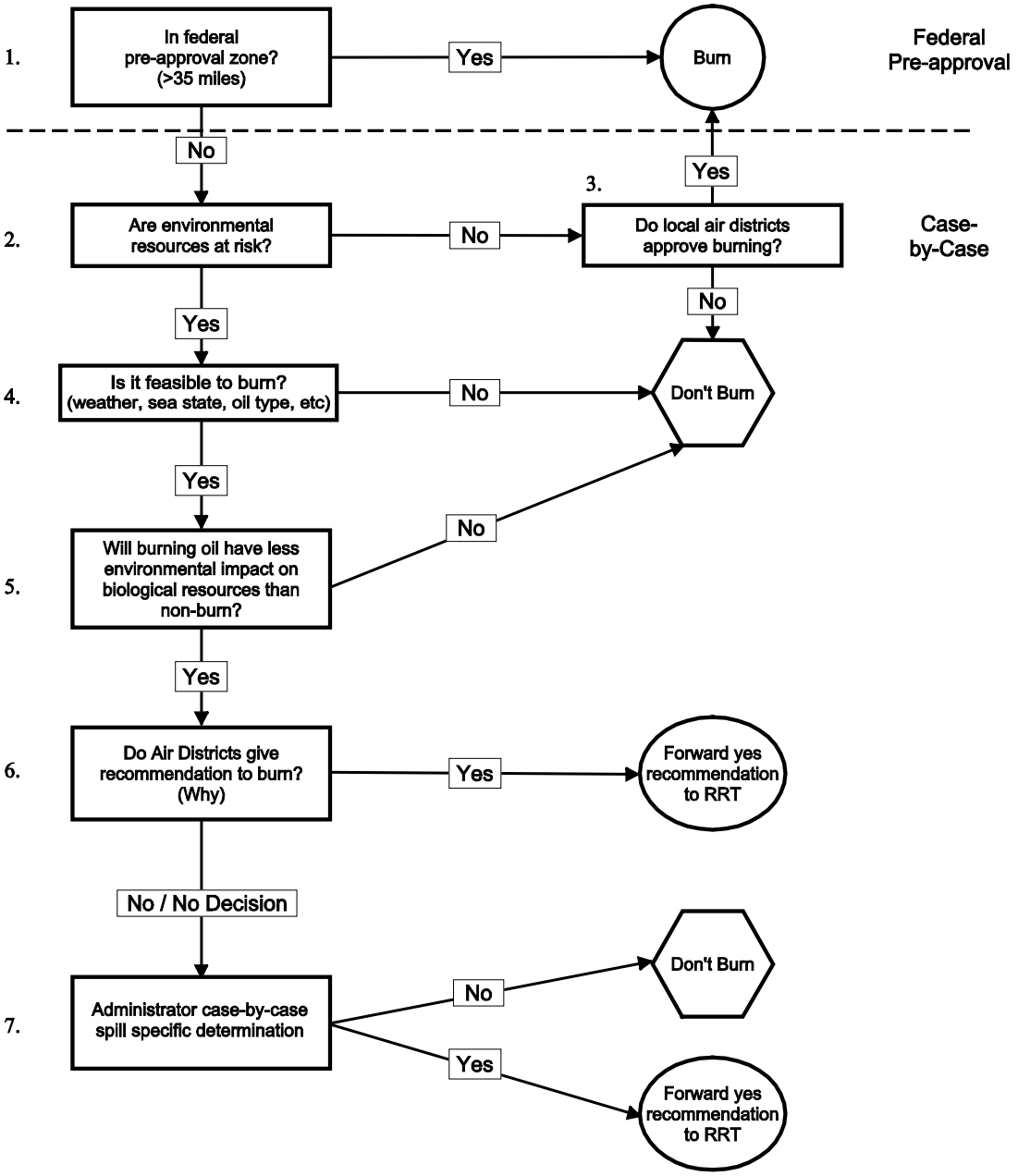


Figure 2

5.3.2 Dispersants

Dispersants are chemicals that are applied directly to an oil slick. The key components in chemical dispersants are surface active agents called surfactants. Chemical dispersants assist with breaking up the slick into small droplets ranging in size from a few microns to a few millimeters. Chemical dispersants do not cause the oil to sink, but move the oil from the surface of the water into suspension in the water column.

By removing the oil from the water surface, birds, marine mammals, turtles, and sensitive coastline and marine resources are protected, but at the potential expense of water column resources. Once in the water column, the oil is diluted to less harmful levels, and eventually is used as a food source by bacteria. Dispersed oil may pose toxicity to juvenile and sensitive-life-stage organisms within the water column after a dispersant application, depending on concentrations, time, and mixing. The use of chemical dispersants is an environmental trade-off, and use of net environmental benefit analysis is a good method for evaluating the appropriateness of using dispersants.

Dispersants also require a threshold level of energy, such as a breaking wave, to allow for the chemical to properly mix with the oil, and partition into the water column. Chemical dispersants can be effective in areas where environmental or logistical considerations will not allow the deployment of cleanup equipment and personnel. Dispersants are generally most effective if used within 24 hours after the spill occurs, but many factors can extend or reduce the “window of opportunity” for the use of chemical dispersants.

In California, chemical dispersants must be licensed by the OSPR Administrator before they can be considered for use in state waters. Presently, two dispersants have been licensed by OSPR, and can be used in marine and inland waters.

The Unified Command will evaluate the need to use chemical dispersants during a spill. Currently, all dispersant use in Region IX is governed by either the pre-approval process or an expedited approval process. For marine waters, there is a pre-approval zone from 3 miles to 200 miles offshore and outside of Marine Sanctuary Boundaries and not within 3 miles of the California/Mexico border. The use of dispersants in all other state waters is decided by the RRT on an expedited case-by-case basis using the decision tree shown below (Figure 4). (See Region IX Regional Contingency Plan, Appendix XII; and California Dispersant Use Plan 2008)

(Dispersant Use Checklists follow)

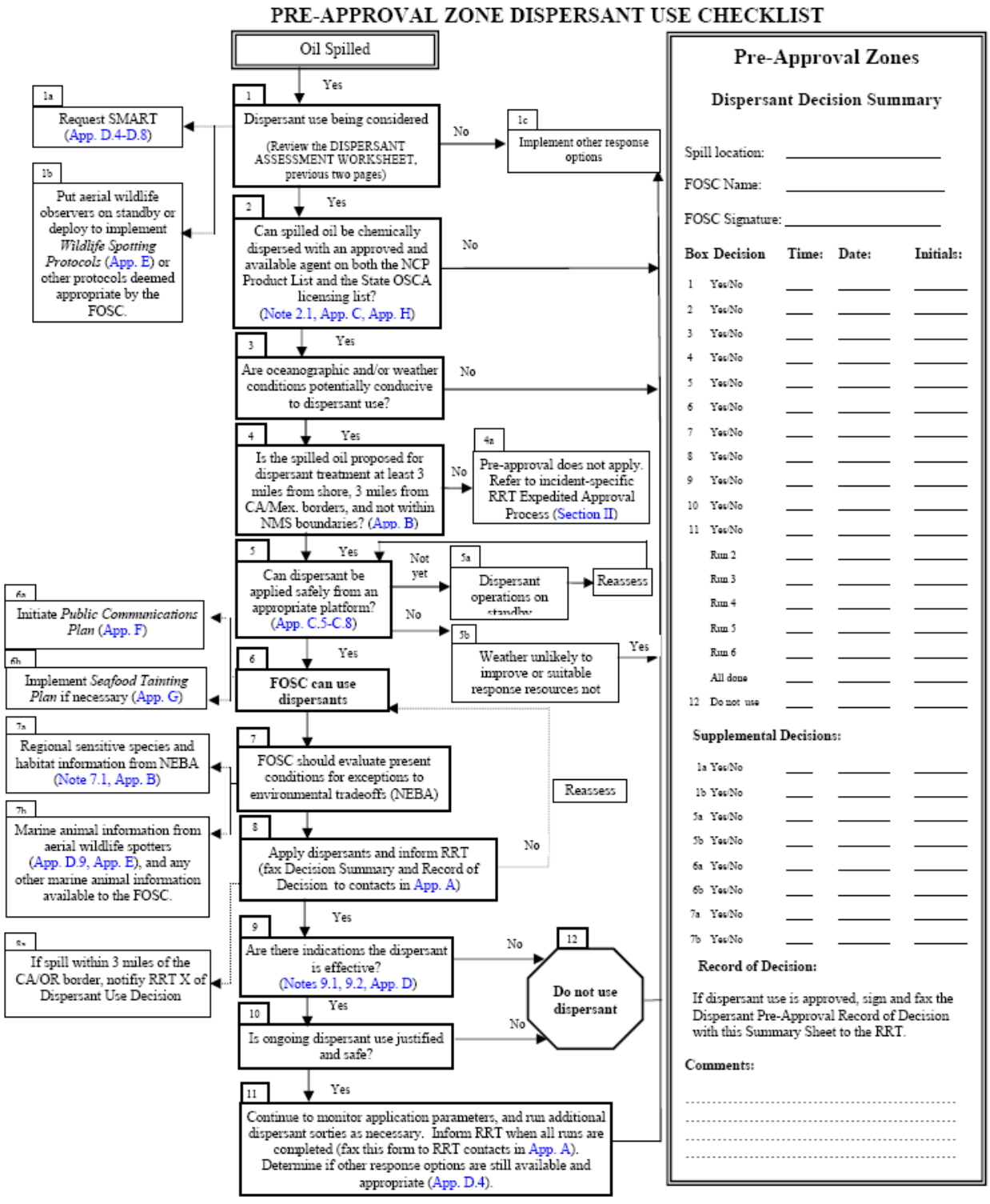

PRE-APPROVAL ZONE DISPERSANT USE CHECKLIST
Oil Spilled
1 Dispersant use being considered (Review the DISPERSANT ASSESSMENT WORKSHEET, previous two pages)
Yes
No
1a Request SMART (App. D.4-D.8)
1b Put aerial wildlife observers on standby or deploy to implement Wildlife Spotting Protocols (App. E) or other protocols deemed appropriate by the FOSC.
1c Implement other response options
2 Can spilled oil be chemically dispersed with an approved and available agent on both the NCP Product List and the State OSCA licensing list? (Note 2.1, App. C, App. H)
3 Are oceanographic and/or weather conditions potentially conducive to dispersant use?
4 Is the spilled oil proposed for dispersant treatment at least 3 miles from shore, 3 miles from CA/Mex. borders, and not within NMS boundaries? (App. B)
4a Pre-approval does not apply. Refer to incident-specific RRT Expedited Approval Process (Section II)
5 Can dispersant be applied safely from an appropriate platform? (App. C.5-C.8)
Not yet
5a Dispersant operations on standby
Reassess
5b Weather unlikely to improve or suitable response resources not
6 FOSC can use dispersants
6a Initiate Public Communications Plan (App. F)
6b Implement Seafood Tainting Plan if necessary (App. G)
7 FOSC should evaluate present conditions for exceptions to environmental tradeoffs (NEBA)
7a Regional sensitive species and habitat information from NEBA (Note 7.1, App. B)
7b Marine animal information from aerial wildlife spotters (App. D.9, App. E), and any other marine animal information available to the FOSC.
8 Apply dispersants and inform RRT (fax Decision Summary and Record of Decision to contacts in App. A)
8a If spill within 3 miles of the CA/OR border, notifiy RRT X of Dispersant Use Decision
9 Are there indications the dispersant is effective? (Notes 9.1, 9.2, App. D)
10 Is ongoing dispersant use justified and safe?
12 Do not use dispersant
11 Continue to monitor application parameters, and run additional dispersant sorties as necessary. Inform RRT when all runs are completed (fax this form to RRT contacts in App. A). Determine if other response options are still available and appropriate (App. D.4).
Pre-Approval Zones
Dispersant Decision Summary
Spill location: _____
FOSC Name: _____
FOSC Signature: _____
Box Decision Time: Date: Initials:
1 Yes/No
2 Yes/No
3 Yes/No
4 Yes/No
5 Yes/No
6 Yes/No
7 Yes/No
8 Yes/No
9 Yes/No
10 Yes/No
11 Yes/No
Run 2
Run 3
Run 4
Run 5
Run 6
All done
12 Do not use
Supplemental Decisions:
1a Yes/No
1b Yes/No
5a Yes/No
5b Yes/No
6a Yes/No
6b Yes/No
7a Yes/No
7b Yes/No
Record of Decision:
If dispersant use is approved, sign and fax the Dispersant Pre-Approval Record of Decision with this Summary Sheet to the RRT.
Comments:

Figure 3

DISPERSANT USE CHECKLIST: RRT EXPEDITED APPROVAL REQUIRED ZONES

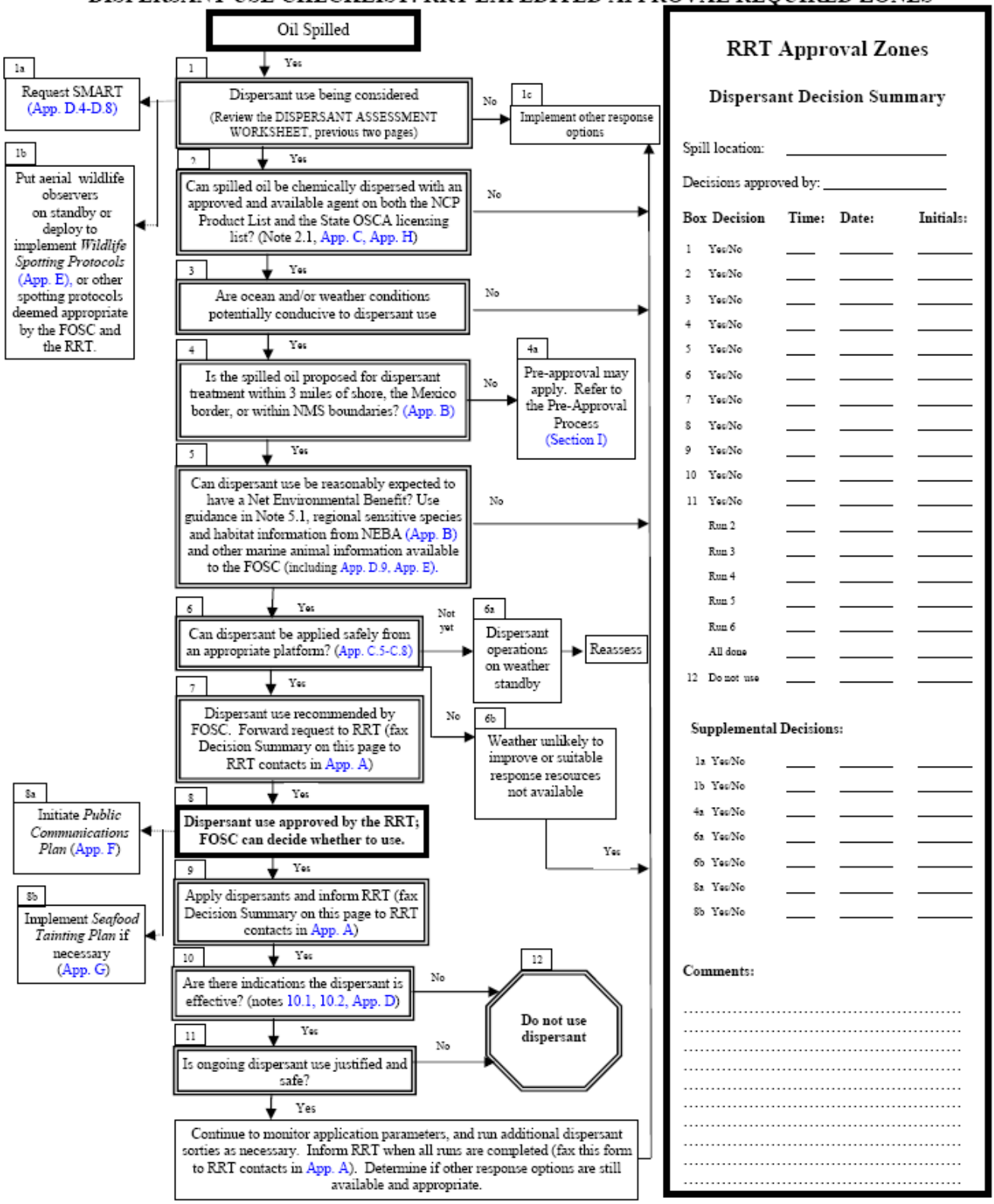


Figure 4

5.3.3 Oil Spill Cleanup Agents – Other Chemical Countermeasures

An oil spill cleanup agent (OSCA) is defined as any chemical, or any other substance, used for removing, dispersing, or otherwise cleaning up oil or any residual products of petroleum in, or on, any of the waters of the state. These products include vaso-elastizers; beach/shoreline cleaners; herding agents; solidifiers; and emulsion treating agents.

These chemicals have some use in addressing specialized areas of oil spill cleanup, but considering use limitations; they are not a primary response option. The approval and use of these products within state waters is under the jurisdiction of the OSPR Administrator and the RRT.

5.3.4 Biological Countermeasures

Use of biological countermeasures, or bioremediation, involves the use of specially developed organisms, or environmental, or chemical enhancement of indigenous bacteria. They are used to break down oil more quickly than would occur without their introduction into the area of a spill. Bioremediation is a treatment technology that enhances existing biological processes to accelerate the decomposition of petroleum hydrocarbons and some hazardous wastes.

The promise of bioremediation providing increased rates of oil degradation with minimal input of human effort to cleanup the spilled oil is attractive. However, currently the technology is time consuming, unproved in open water environments, and best suited to the treatment of specific types of shorelines (e.g., marsh, intertidal regions) and certain inland habitats. At present, bioremediation should be viewed as a polishing agent for the final stages of cleanup rather than as a primary response tool - especially considering the slow rates of reaction to degrade the oil.

OSPR licensing only applies to bioremediants used in or on state waters or affecting trustee resources; other applications of OSCAs (on lands with no impact to state waters or living resources) are not administered by OSPR.

Specific policies and procedures for the use of bioremediation during spill response can be found in the Region IX Regional Contingency Plan, Appendix XIV.

SECTION VI – Airspace Restrictions

6.0 General Summary

If necessary, the OSC could submit a request for secured air space through the Air Operations Branch Director in the ICS. The request can be made to the local Flight Standards District Office (FSDO) of the Federal Aviation Administration (FAA).

A request could also be made to the National Response Center through the Regional Response Team, and the National Response Center would forward the request to the FAA.

The FAA would decide to issue a Notice to Airmen (NOTAM) restricting certain air space in the area of the oil spill.

SECTION VII – Communications

7.0 Communication Frequencies

For small incidents, standard radio frequencies may be used. For larger incidents, the Unified Command will establish a formal Communications Plan. Communications on-scene by VHF-FM radio will likely be conducted on frequencies designated by the USCG, USEPA, CalEMA, or via the California Law Enforcement Mutual Aid Radio System (CLEMARS) with a National Law Enforcement Mutual Aid Radio System (NALEMARS) channel. CalEMA operates three interconnected Mobile Relay radio networks for Mutual Aid coordination, and oversees a number of communications channels for field level coordination purposes. Collectively these are known as the Statewide Mutual Aid Radio System (SMARS).

CLEMARS Radio Frequencies

Channel	Frequency MHz
1	154.920
2	154.935
NALEMARS Channel 3	155.475
UHF	460.025
Low Band	39.460
800 MHz	866.200 868.5125

NOAA Weather Radio Frequencies

Channel	Frequency MHz
WX1	162.55
WX2	162.4
WX3	162.475
WX4	162.425
WX5	162.45
WX6	162.5
WX7	162.525

Some relevant United States VHF maritime telecommunication channels are:

USCG Radio Frequencies

Channel	Transmit MHz	Receive MHz	Use
9	156.45	156.45	Boater Calling. Commercial and Non-Commercial.
11	156.55	156.55	Commercial. VTS in selected areas.
12	156.6	156.6	Port Operations. VTS in selected areas.
13	156.65	156.65	Intership Navigation Safety (Bridge-to-bridge); for ships >20m length while in US waters.
14	156.7	156.7	Port Operations. VTS in selected areas.
16	156.8	156.8	International Distress, Safety and Calling.
22A	157.1	157.1	USCG Liaison and Maritime Safety Information. Broadcasts announced on channel 16.
24	157.2	161.8	Public Correspondence (Marine Operator)
25	157.25	161.85	Public Correspondence (Marine Operator)
26	157.3	161.9	Public Correspondence (Marine Operator)
27	157.35	161.95	Public Correspondence (Marine Operator)
28	157.4	162	Public Correspondence (Marine Operator)
73	156.675	156.675	Port Operations

See: http://www.navcen.uscg.gov/?pageName=mtVhf
http://www.freqofnature.com/frequencies/ca/oes.html
http://www.nws.noaa.gov/nwr/
http://clemars.com/

7.1 Public Information Officer and Joint Information Center

During an oil spill response in California, public information activities will be carried out by representatives of the Unified Command (U.S. Coast Guard, the CDFW, and the responsible party) in coordination with other federal, state, and local organizations (including tribes). Depending upon the size of the incident, the lead Public Information Officer (PIO) and the Joint Information Center (JIC) manager may serve on site or conduct activities from the office or another remote location in a virtual JIC, as directed by the Unified Command. The PIO team will coordinate with additional agency PIOs via phone, e-mail, in person or other method to provide early notification and coordination as needed for timely review of draft news releases and other materials, and collaboration to determine other information needs.

The complete Public Information Officer and Joint Information Center operational guidelines is located at **https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=57817**

SECTION VIII – Quantification and Disposal

8.0 General Summary

Early during a spill, a rough estimate of the total volume of the spill is needed to be able to quantify how much spilled oil is actually recovered and to demonstrate that some amount has been removed from the environment. This estimate is also used to determine equipment and personnel needs for disposal issues. Since early estimates of spill size are often either unavailable or of questionable accuracy, on-site estimations are generally necessary. A rough estimate of spill volume can be attempted by considering slick size and thickness.

As oil and oily debris is collected it will need to be segregated and placed somewhere; so recovery operations need to be simultaneously coordinated with disposal operations. Issues such as interim storage, long-term storage, transportation, and ultimate disposal or re-use have to be addressed. Typically, people performing Planning and Operations duties will develop a waste disposal plan; for large spills a Disposal Group Supervisor will be designated and a formal Disposal Group will be established in the Operations Section. Oily debris typically includes sorbents and protective clothing, vegetation, dirt, carcasses, and decon wash. Prior to disposal, these materials need to be segregated according to type and the amount of oil quantified based on volume and degree of oiling. Oily materials will have to be characterized as hazardous or non-hazardous waste and handled accordingly. These materials may be relevant to civil or criminal enforcement actions. Carcasses may be retained as evidentiary material to determine the injury and damage caused by the spill.

When oil is skimmed from surface waters, much of the recovered material is water; thus, storage containers fill-up with more water than actual oil. To help make storage space available for actual oil, sometimes the recovered water may be decanted back into the surface water where it was collected. In Federal waters decanting can be approved through a request to the FOSC. Between California state agencies, there is a Memorandum of Understanding (MOU) between OSPR and the State Water Resources Control Board regarding decanting oil into marine waters; the MOU pre-approves of decanting if certain conditions are met. [GC. §8670.7; see RCP Appendix VIII] In non-marine state waters, approval must be secured from the Regional Water Quality Control Board during the incident.

Decontamination of people and equipment is a large disposal issue, as the process may result in additional waste streams. Under the Recovery and Protection Branch, the Decontamination Group Supervisor is responsible for decontamination of personnel and response equipment.

In 1997, the OSPR Administrator and the Department of Toxic Substance Control (DTSC) entered into a MOU regarding limited pre-approval for handling oily materials recovered from a spill into state waters. The MOU provides that recovery, containment, and transport of oily materials to temporary storage sites would not need manifesting or facility permits. However, transport away from temporary storage sites may need permits. The material must be characterized; if the material is deemed hazardous waste, then additional requirements will apply.

Recovery, handling, and disposal actions need to be compliant with State and Federal laws. The Area Contingency Plans and the Region IX Regional Contingency Plan have disposal sections further describing the specifics of waste characterization and handling. [See ACP §3240; RCP §3008]

SECTION IX – Natural Resource Damage Assessment and Restoration

9.0 General Summary

The trustee agencies for natural resources affected by an oil spill are responsible for determining and quantifying injuries to, destruction of, or loss of use of those natural resources, (i.e., natural resource damage assessment - NRDA).

The California trustee agencies generally include the CDFW, the State Lands Commission (SLC), and the Department of Parks and Recreation (DPR). California law designates CDFW to be the trustee for the state's wildlife. [FGC §711.7] The Federal trustee agencies generally include the Department of the Interior (DOI) through the US Fish & Wildlife Service (USFWS) and/or the National Park Service (NPS), the National Oceanic and Atmospheric Administration (NOAA), and National Marine Fisheries Service (NMFS).

The Federal Oil Pollution Act of 1990 (OPA) requires designated State and Federal trustees to assess natural resource damages and implement a plan to restore injured resources. [See 33 USC §2706] For OPA purposes, the Governor of California has designated the Secretary of the Natural Resources Agency and the Secretary of the Environmental Protection Agency as California's natural resource trustees. The OPA trustee authority of the Natural Resources Agency Secretary for fish, wildlife, and habitat has been further delegated to CDFW. The Environmental Protection Agency Secretary has further delegated its OPA trustee authority to the Department of Toxic Substances Control (DTSC) and the State Water Resources Control Board (SWRCB) as relevant to their respective jurisdictions.

The OSPR Administrator must coordinate all actions of State or local agencies to assess injury to, provide full mitigation for, or to restore, rehabilitate or replace natural resources injured by a marine oil spill over 42 gallons. [See GC §8670.7(h) (2); §8670.62] The CDFW is responsible for closing sport and commercial fisheries to protect public health following marine spills based on health assessments and recommendations by the Office of Environmental Health Hazard Assessment (OEHHA). [FGC §5654] Agencies may pursue damages for the loss of use and enjoyment of natural resources, public beaches, and other affected public resources.

Trustees generally coordinate their NRDA efforts by following OPA guidelines [15 CFR Part 990]. OPA rules require the trustees to invite the Responsible Party to participate in a cooperative NRDA. The trustees will form an NRDA team and are often joined by the Responsible Party. Generally, the trustees try to coordinate restoration planning and implementation with local agencies.

NRDA activities generally do not occur within the structure of ICS. The UC is focused on response, while the goal of NRDA is to assess natural resource injuries caused by the spill and response activities, and ultimately to implement a plan to restore injured resources. However, NRDA field assessment activities may overlap those of the response activities, so close coordination and cooperation between the two efforts is necessary. For large spills, an NRDA Liaison will coordinate with the UC Liaison Officer. The NRDA Liaison will be the primary point of contact for establishing communication channels between the NRDA and the response effort.

SECTION X – Response Funding and Cost Recovery

10.0 General Summary

The person or entity that caused the spill or who owns the oil will likely be deemed responsible for all costs incurred by spill responders related to the incident including, but not limited to, costs for containment, cleanup, disposal, remediation, and rehabilitation, in addition to any other liability which may be provided for by law. [See GC §8574.4]

If the Responsible Party is unable or unwilling to pay for adequate cleanup, there are several state and federal funding sources available to government agencies to pay for response and cleanup of oil spills which are described below.

State agencies designated to implement this Plan must document and account for all State expenditures made under the Plan with respect to each oil spill. [See GC §8574.4] In particular, State and local agencies must pay attention to accurately documenting their costs incurred during the response in order to successfully recover those costs from the responsible party or an available fund.

State and local agencies must use and participate in SEMS otherwise they will not be allowed to assert a claim for response costs against a particular oil spill response fund. [GC §8607]

Regardless of the state funding source, expenditures that are recovered or reimbursed from the Responsible Party or another source should be deposited into the fund from which they were expended. The following subsections describe some oil spill state and federal funding options.

10.1 State Funds

Fish & Wildlife Pollution Account

[FGC §12017 and §13010]

The Fish & Wildlife Pollution Account (FWPA) is administered by the CDFW. The FWPA has no dedicated funding source; it receives money through successful cost recovery and penalties collected from the responsible party. Moneys in the FWPA are continuously appropriated to the CDFW. Funds in the account shall be expended for the following purposes:

- Abatement, cleanup, and removal of pollutants from the environment.
- Response coordination, planning, and program management.
- Resource injury determination.
- Resource damage assessment.
- Economic valuation of resources.
- Restoration or rehabilitation at sites damaged by pollution.

The FWPA may be expended for cleanup and abatement if a reasonable effort has been made to have the responsible party pay cleanup and abatement costs and funds are not available for disbursement from the emergency reserve account of the Toxic Substances Control Account in the General Fund. [HSC §25354]

The CDFW may use funds in the FWPA to pay the costs of consultant contracts for resource injury determination or damage assessment during hazardous material or oil spill emergencies.

Oil Spill Response Trust Fund

[GC §8670.46 to §8670.48]

The Oil Spill Response Trust Fund (OSRTF) is continuously appropriated to the OSPR Administrator for expenditure without regard to fiscal years, and the Administrator shall administer the OSRTF.

The OSRTF is funded by a fee imposed on certain barrels of oil coming into California over or through marine waters. The OSRTF is only available for oil spills of 42 gallons or more into marine waters (but not natural seepage) for the following purposes:

- Provide funds to cover promptly the costs of response, containment, and cleanup of oil spills into marine waters, including damage assessment costs, and wildlife rehabilitation.
- Cover response and cleanup costs and other damages suffered by the state or other persons or entities from oil spills into marine waters, which cannot otherwise be compensated by responsible parties or the federal government.
- Pay claims for damages where there is a final judgment that has not been paid, or where the responsible party cannot be ascertained or is otherwise not liable, or where the claim has been rejected by the Federal Oil Spill Liability Trust Fund and the responsible party refuses to pay.
- Pay indemnity and related costs and expenses associated with claims against persons or companies providing authorized and appropriate response efforts.
- Pay for the costs of rescue, medical treatment, rehabilitation, and disposition of oiled wildlife, as incurred by the Oiled Wildlife Care Network (OWCN).
- Cover the costs of assessing the impact on human consumption of fish and shellfish species impacted by marine spills. [FGC §5654]

State Water Pollution Cleanup and Abatement Account

[WC §13440 to §13343]

In the State Water Quality Control Fund, there is a State Water Pollution Cleanup and Abatement Account (SWPCAA), administered by the State Water Resources Control Board (SWRCB).

The funds in the SWPCAA are available for the following purposes in all state waters as follows:

- The first unencumbered five hundred thousand dollars ($500,000) paid into the SWPCAA in any given fiscal year is available without regard to fiscal years, for expenditure by the SWRCB for cleanup purposes.
- The next unencumbered five hundred thousand dollars ($500,000), or any portion thereof, deposited in any given fiscal year, is available for expenditure by the SWRCB for cleanup subject to the provisions set forth in Section 28 of the Budget Act of 1984.
- The next unencumbered one million dollars ($1,000,000) deposited in the SWPCAA in any given fiscal year is available for expenditure by the SWRCB to a Regional Water Quality Control Board that is attempting to remedy a significant unforeseen water pollution problem, posing an actual or potential public health threat, or is overseeing and tracking the implementation of a supplemental environmental project required as a condition of an order imposing administrative civil liability, and for which the Regional Board does not have

adequate resources budgeted.
- The remaining unencumbered funds deposited in the SWPCAA in any given fiscal year are available without regard to fiscal years to the SWRCB for expenditure, upon application by a public agency with authority to clean up a waste or abate the effects thereof, to the agency to assist it in cleaning up the waste or abating its effects on waters of the state. The agency shall not become liable to the SWRCB for repayment of such moneys.

Toxic Substances Control Account – Emergency Reserve Account
[HSC §25354; §25173.6; §25324]

The Department of Toxic Substances Control (DTSC) administers the Toxic Substances Control Account (TSCA). Each fiscal year one million dollars ($1,000,000) is to be continuously appropriated from the TSCA to DTSC as a reserve account for emergencies.

DTSC shall expend moneys available in the reserve account only for the purpose of taking immediate corrective action necessary to remedy or prevent an emergency resulting from a fire or an explosion of, or human exposure to, hazardous substances caused by the release or threatened release of a hazardous substance. Such situations could involve oil spills.

10.2 Federal Funds

Oil Spill Liability Trust Fund
[33 USC §2712 - §2713; 26 USC §9509]

The US Coast Guard's National Pollution Fund Center (NPFC) administers the Oil Spill Liability Trust Fund (OSLTF). The NPFC is responsible for disbursements and proper use of the OSLTF, 24 hours a day, every day, so that the FOSC can immediately respond to a discharge or monitor prompt and effective cleanup activities by the responsible party (RP).

Fund uses are delineated by OPA to include:
- Removal costs incurred by the US Coast Guard and US EPA.
- State access for removal activities.
- Payments to Federal, State, and Indian tribe trustees to conduct natural resource damage assessments and restorations.
- Payment of claims for uncompensated removal costs and damages.
- Research and development.
- Other specific appropriations.

The OSLTF has two major components:

1. It is available for FOSCs to cover expenses associated with mitigating the threat of an oil spill, as well as the costs of oil spill containment, countermeasures, cleanup, and disposal activities and for federal trustees to initiate natural resource damage assessments. This portion of the OSLTF is a recurring $50 million dollars available to the President annually.

2. The remaining principal OSLTF balance is used to pay claims and to fund appropriations by

Congress to Federal agencies to administer the provisions of OPA and support research and development.

While the use of the OSLTF is most closely associated with discharges from ships, it can be used for discharges at industrial or onshore oil storage and production facilities.

SECTION XI – Government Agencies

11.1 Local Government

Overview and Planning

Although the responsible party may ultimately be responsible for the response and cleanup efforts, they may not always be first on scene (e.g. pipeline-related incidents). For most oil spills, city or county government will most likely be the first notified and the first to respond.

Incident management responsibility will vary depending on the specific statutory authority for each local government or agency. The local government descriptions contained in this Plan are typical of many jurisdictions throughout the state.

For most oil spills, OSPR will perform the SOSC function, and a local government representative will be the Local Government On-Scene Coordinator (LGOSC) for the incident.

If an oil spill should occur, the Unified Command (UC) shall evaluate the nature and severity of the spill, jurisdictions that may be affected, potential for public involvement, and the need for local agency support. The UC may exercise the option to appoint a Local Government On Scene Coordinator (LGOSC) as a participant within the UC. For more details see Section 2000 of the relevant Area Contingency Plan.

Local government can provide valuable experience in pre-incident planning through the local Certified Unified Program Agency/Administering Agency/Participating Agency (CUPA/AA/PA) and other local planning activities. The County/City Emergency Services Coordinators, Local Disaster Councils, Local Emergency Planning Committees (LEPC) and similar organizations are encouraged to participate in multi-agency planning activities related to oil spills to develop and revise response plans prior to the occurrence of an oil spill.

Through CUPA/AA/PAs and LEPCs, local area plans can be developed; local agencies can clearly delineate responsibilities with respect to each other and with participating agencies at the state and federal levels; and key liaisons between agencies can be established. And local governments with jurisdiction over or directly adjacent to marine waters, may apply to the OSPR Administrator for a grant to complete, update, or revise an oil spill contingency plan element of their business and hazardous materials area plans. [See GC §8670.35]

Local agencies with an operational role in spill response are encouraged to exercise, revise, and update their local plans on a regular basis.

Response Equipment

OSPR provides grants to local government entities to provide response equipment that can be pre-positioned (pre-staged) adjacent to marine waters of

the state. The equipment is deployed by the grantee to contain a spill or to protect local resources. See: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43418&inline=true

For this purpose, a local government is defined as any local public agency or tribe in the state of California, including cities, counties, tribal nations, fire departments, port districts, public utility districts, and emergency management departments.

Also, local resources information can be found in the section 5000 (Logistics) of the Area Contingency Plan (ACP)

Certified Unified Program Agencies

Administering Agencies

Participating Agencies

(CUPA/AA/PAs)

All counties and a number of cities within California have been designated to implement the state and federal hazardous materials emergency planning and community right-to-know programs.

These program functions are to be performed by Certified Unified Program Agencies/Administering Agencies/Participating Agencies (CUPAs). [27 CCR §15100, *et seq*.] A list of certified and non-certified CUPAs has been developed and is maintained by the California Environmental Protection Agency (Cal/EPA), Unified Program Section. [see http://www.calcupa.net; http://www.Cal/EPA.ca.gov/CUPA/]

CUPAs are often fire departments, environmental health departments, or emergency services departments. CUPAs may provide resources and liaison functions during oil spills. CUPAs are responsible for the following local "unified programs", which may include addressing chemical components released by an oil spill:

- Hazardous Materials Area Plans.
- Hazardous Materials Business Plan Program.
- Underground storage tank (UST) regulation.
- Inspection of aboveground storage tanks (AST) storing petroleum products to ensure that spill prevention, control and countermeasure (SPCC) plans are in place, where necessary.
- Hazardous waste generator regulation, including most of the state's "tiered permit" requirements.
- California Accidental Release Prevention Program (CalARPP)

Fire Protection	If there is a fire related to an oil spill incident, fire prevention, fire suppression, and rescue are the responsibilities of the fire service agency that has jurisdiction or responsibility for the area involved. Agencies that may be involved include municipal fire departments, local special district fire departments (paid or volunteer), county fire departments, the California Department of Forestry and Fire Protection (Cal Fire), or the U.S. Forest Service (USFS). The fire service agency may also have jurisdictional authority for containment of off-highway oil spills. Many local plans designate the fire department as the oil spill response Incident Commander. The Operational Area Fire and Rescue Coordinators are responsible for mobilization of fire and rescue mutual aid resources requested by the responsible fire service agency. Also, each Sector of the US Coast Guard maintains a marine fire or burning vessel response plan. (e.g. see ACP §8000)
Law Enforcement	For oil spills occurring on city or county roadways, generally the City Police or the County Sheriff will serve as the Incident Commander. [VC §2454] For other oil spills in cities or counties, in the absence of local codes, ordinances, or agreements to the contrary, the City Police Department or County Sheriff could provide law enforcement support during an oil spill, including traffic control and supervision. Some cities have contracted with their local Sheriff for law enforcement and traffic control rather than establish a police department. State and federal agencies may have concurrent law enforcement jurisdiction with a city or county.
Public and Environmental Health	Local health agencies are responsible for protecting the public health and often coordinate emergency medical services. County and city health officers have authority within their jurisdictions to take any preventive measures which may be necessary to protect and preserve the public health. Local health agencies should participate in the work of the LEPCs and similar groups. During an oil spill they can provide valuable support to the Incident Commanders, and they should be actively involved in situations where public and environmental health is threatened by an oil spill, particularly with respect to ambient air monitoring.
Air Pollution Control Districts	There are 35 local air quality agencies in California (either Air Pollution Control Districts or Air Quality Management Districts). Each is overseen by an Air Pollution Control Officer, or APCO.
Air Quality Management Districts	The APCD, AQMD, or APCO can provide advice regarding predicted dispersion of airborne pollutants from an oil spill. Some districts may be able to provide laboratory support to help identify substances involved in the incident and/or may be able to provide for the ambient monitoring of certain airborne pollutants, depending upon the incident.

Air Pollution Control Officer	Throughout the response and cleanup process for a marine oil spill, the Administrator of OSPR is required to keep the appropriate APCD or AQMD apprised about the oil spill. [GC §8670.7] Unified Command should coordinate with the affected district(s) to permit *in situ* burning [HSC 41801(g)]
Public Works	Local streets and road departments are responsible for maintaining roadways in their jurisdiction and may assist with road closures, cleanup, or decontamination. Local water supply agencies (which may be a public works) are responsible for maintenance of community water systems. They will provide remedial actions in coordination with the Regional Water Quality Control Boards (RWQCBs) and the Department of Water Resources (DWR) when an oil spill incident may affect water sources such as treatment plants and pumping stations. Public works departments are also critical for spills involving storm drains as they have access to storm sewer system diagrams showing input and outfall points which may be necessary for response.
Emergency Medical Services	Local emergency medical care providers (public and private sectors) provide care and transportation for the sick and injured, including victims of contamination. Patient contact should be made with adequate decontamination, as determined by local medical protocols.
Boating and Vessel Traffic Control	The USCG Captain of the Port can direct recreational and commercial vessel movement through navigable waters of the United States, such as waters that are shared by more than one state (i.e. Goose Lake) or waters that are used for interstate commerce (i.e. Lake Tahoe) or waters that empty into the ocean (i.e. the Sacramento River). [33 CFR §6.04-8] For non-navigable waters US EPA FOSC could direct vessel traffic (e.g. Castaic Lake). Additionally, local governments may restrict non-essential vessel traffic on waters within their jurisdiction; for non-essential or non-commercial vessel movement restrictions, the Unified Command should contact the County Sheriff. [See ACP §3360.2, §9230.6; see USCG http://www.uscg.mil/D11/vtssf/vtssfum.asp; see OES http://www.calema.ca.gov/planningandpreparedness/pages/documents-and-publications.aspx ; see RCP §3003.01.6]
Poison Control Centers	Regional Poison Control Centers in California provide 24-hour access to an extensive toxicology library and can provide immediate access to consultants for evaluating health exposures associated with oil spills, including knowledge of hospitals' capabilities for handling oil spill victims. The Centers can provide human poison exposure and health-related information to responders, hospitals, and the public (in designated counties).
Other Local Government Entities	Other local agencies, such as Flood Control Districts or Parks and Recreation Departments, should participate in spill response planning and training with the LEPCs, CUPA/AA/PAs, and other area committees. Agency roles and capabilities should be described in response plans.

11.2 State Government

Overview and Planning

In addition to this Plan, state agencies with an operational role at an oil spill should use their agency or jurisdiction specific plan to better accomplish an efficient response. The State Emergency Plan has a matrix of state agency responsibilities, which is available on the California Emergency Management Agency (CalEMA) website at: http://www.calema.ca.gov/planningandpreparedness/pages/state-emergency-plan.aspx
All California state agencies are each required to maintain continuity of operations in the event of an emergency like an earthquake, flood, or terrorist act, etc. See: http://www.fema.gov/pdf/library/fpc65_0604.pdf; and http://www.homeland.ca.gov/pdf/GEOEC_State_Strategy_Final.pdf

California Air Resources Board (ARB)

- **Responsibilities:** ARB monitors, researches, and sets air quality policies for controlling emissions from mobile sources. The ARB works with over 30 county and regional air quality control authorities who set emission standards for stationary sources.
- **Notification Requirements:** Immediate notification to the ARB is required for oil spill incidents that may adversely affect air quality.
- **Capabilities and Limitations:** The ARB has personnel available for technical advice, operation of ARB air monitoring equipment, and modeling to study the impacts of air pollutants. This support function may be accessed through direct contact with agency emergency response personnel, or the California State Warning Center.

Office of Attorney General (AG)

Department of Justice (DOJ)

- **Responsibilities:** The Attorney General (AG) represents the people of California in civil and criminal matters, and represents most state agencies in civil litigation. The California Department of Justice (DOJ) carries out the responsibilities of the Attorney General.
- **Notification Requirements:** None, unless a state agency requests the immediate involvement of the AG.
- **Capabilities and Limitations:** The AG/DOJ could assist with obtaining injunctions, criminal intelligence and evidence gathering, provide surveillance, communications equipment, forensic services, and provide legal advice to state agencies.

California Coastal Commission (CCC)

Responsibilities: The California Coastal Commission (CCC) exercises authority under the California Coastal Act of 1976 (Coastal Act) to manage the conservation and development of California's 1,100 mile coastline (excluding San Francisco, San Pablo, and Suisun Bays). [See Public Resources Code §30000 *et seq*.] The CCC regulates development activities that occur within the coastal zone. The Coastal

Act contains policies for the prevention of and response to oil and hazardous substance spills (PRC §30232); protection of coastal waters and marine resources (PRC §30214 – 30236); protection of environmentally sensitive habitats, and rare or especially valuable species of wildlife and plants (PRC §30240 and 30107.5); and protection of fishing activities (PRC § 30234 and 30234.5). The Executive Director of the Coastal Commission can issue an emergency permit for clean-up or repair and maintenance activities determined to constitute development as defined by the Coastal Act. Issuing an emergency permit can be accomplished with a verbal approval on scene or by telephone activities authorized, funded or carried out by the Federal Government that affect coastal zone resources must be reviewed by the Commission for consistency with the federally approved California Coastal Management Program, including the Coastal Act (PRC 30330, and 30400). As approved by the Federal Government in 1977, and with relatively minor exceptions, the Commission is the only State agency which can conduct this review of federal projects and activities.

Specifically regarding marine oil spills, the CCC has an important role. The CCC reviews oil spill contingency plans, and assists the Administrator with carrying out studies regarding contingency planning, oil spill response equipment, and operations. The CCC assists with drills to test prevention operations, equipment, and procedures. The SLC and the CCC coordinate inspections of marine facilities. The CCC is a member of the Harbor Safety Committees. [See Section 11.3 herein] The Administrator consults with the Coastal Commission in the design, planning, construction, and operation of the rescue and rehabilitation stations. The TAC provides the CCC with recommendations regarding marine oil spill issues. [See GC §8589.7, §8670.23, §8670.36, §8760.37, §8760.37.5, §8760.55; PRC §8757]

- **Notification Requirements:** The CCC must be notified by the California State Warning Center of any discharge or threatened discharge of oil in marine waters. [GC §8670.25.5(b) and 8589.7(b)]

- **Capabilities and Limitations:** The CCC does not have funding or equipment for spill cleanup, but during a spill the CCC can provide several types of support:
  - Technical and/or response assistance (e.g., shoreline assessment, and wildlife search and collection).
  - Assistance to local governments, special purpose districts, and property owners in addressing resource protection issues.
  - Advice regarding preferred response and cleanup activities to avoid or minimize adverse resource impacts within CCC's jurisdiction.

California Conservation Corps (CCC)

- **Responsibilities:** The California Conservation Corps (CCC) is a workforce development program that offers young men and women the chance to serve their state and become employable citizens through life skills training and hard work in environmental conservation, fire protection, and emergency response. The CCC can provide crew labor to assist in emergency operations and disaster relief including oil spills, as well as providing support functions at emergency feeding operations or mass care centers.

  Regarding marine oil spills CCC members may receive related training. [GC §8670.8]

- **Notification Requirements:** None.

- **Capabilities and Limitations:** CCC can dispatch a trained and disciplined work force in excess of 1,200 members. CCC capabilities include cooks, clerks, and overhead staff to provide for staging area support of corps members dispatched outside their normal service area.

California Emergency Management Agency (CalEMA)

- **Responsibilities:** The California Emergency Management Agency is responsible for coordinating the mitigation, preparedness, response, and recovery activities related to disasters and homeland security measures. CalEMA is delegated substantial emergency duties under the California Emergency Services Act. CalEMA coordinates mutual aid within the state. CalEMA is responsible for maintaining a day-to-day working relationship with local emergency management organizations. CalEMA will become the Governor's Office of Emergency Services on July 1, 2013, pursuant to the Governor's Reorganization #2 of 2012.

  The state is divided into six mutual aid regions that are managed by three CalEMA Regional Operations Centers (REOCs): Southern, Coastal, and Inland. CalEMA also operates the State Operations Center (SOC).

  CalEMA is also responsible for maintaining the California State Emergency Plan to address the State's response to extraordinary situations associated with natural and human-caused disasters, and technological incidents.

- **Notification Requirements:** A person responsible for an oil spill or threatened release must immediately call the California State Warning Center. [HSC §25507; 19 CCR §2701; GC §2670.25.5]

  State and local agencies should notify the California State Warning Center when they become aware of a reportable incident and state agencies must make verbal notification to CalEMA for significant emergency situations.

  State and local agencies are required to make immediate notification to

CalEMA when responding to a marine oil spill if the spill has not already been reported [GC §8670.26] and the CHP is required to report on-highway releases to CalEMA. [VC §2453]

Once notified, CalEMA will then immediately contact the appropriate federal, state, and local agencies of the incident according to pre-determined procedures and criteria. Some laws and regulations specifically identify which agencies CalEMA must notify in the event of a specific type of release, as follows:

- For marine oil spills CalEMA will notify OSPR, the State Lands Commission, California Coastal Commission and/or the San Francisco Bay Conservation and Development Commission, the appropriate Regional Water Quality Control Board. [GC §8670.25.5]
- For a rupture, explosion, or fire involving pipelines, CalEMA will notify the California Department of Forestry and Fire Protection (CDF). [GC §51018]
- For both threatened and actual unauthorized releases of oil to waters of the state reportable pursuant to Water Code §13271, *et seq*. and 19 CCR §2703, CalEMA will notify the appropriate RWQCB, local health officer, and the local director of environmental health.

- **Capabilities and Limitations:**
  - CalEMA operates the California State Warning Center on a 24-hour a day, seven day a week, basis as the central notification and reporting system for the State of California.
  - For overall emergency management (including oil spill incidents), CalEMA's three REOCs can manage and coordinate information and resources among operational areas within the mutual aid regions and between operational areas and the state.
  - CalEMA personnel can be requested to support local emergency officials (i.e., incident information and emergency management personnel). CalEMA can provide support working directly with the Liaison Officer, assisting with selection of Local Government representatives to the Unified Command and providing communications, mutual aid, and Mobile Command Posts.
  - CalEMA can assist local agencies in accessing mutual aid resources (e.g. fire, law, coroner, etc.). Requests must be made according to the State Emergency Plan and SEMS.

California Emergency Medical Services Authority (EMSA)

- **Responsibilities:** The Emergency Medical Services Authority (EMSA) plans for and coordinates the state's medical response to disasters. EMSA can arrange for emergency procurement of medical personnel and distribution of medical supplies. In conjunction with the affected medical associations, EMSA develops general guidelines for the triage and handling of contaminated/exposed patients. EMSA coordinates the evacuation of casualties from the affected area to definitive care facilities throughout and outside the state.

- **Notification Requirements:** EMSA should be notified when a significant number of human exposures, an evacuation, or fire has occurred or is expected to occur.

- **Capabilities and Limitations:** In coordination with local EMS agencies, EMSA helps mobilize medical mutual aid, notifies regional disaster medical/health coordinator for regional medical mutual aid.

California Energy Commission (CEC)

- **Responsibilities:** The California Energy Commission (CEC) oversees cleanup and remedial action at CEC licensed energy facilities (>50 MW) and ensures that the responsible party complies with the applicable laws, ordinances, regulations, and standards. [See PRC 25000 *et seq.*] In addition, the Commission shares responsibility with DHS, CalEMA, and CHP for planning for radioactive material shipments.

- **Notification Requirements:** None regarding oil.

- **Capabilities and Limitations:** The CEC can assess potential public health, environmental, and safety hazards associated with the release of oil from energy facilities. The CEC is also responsible for developing specific state actions to be taken in the event of an impending serious shortage of energy, or a clear threat to public health, safety, or welfare.

Office of Environmental Health Hazard Assessment (OEHHA)

- **Responsibilities:** The Office of Environmental Health Hazard Assessment (OEHHA) provides scientific information and advice upon which to base public health risk management decisions.

- For marine oil spills, OEHHA will assist the CDFW and provide health assessments and recommendations concerning the closure of fisheries. [FGC §5654; §7715] This interaction is described in a CDFW/OEHHA Fisheries Closure Joint Protocol for Marine Oil Spills.

- **Notification Requirements:** Notification of OEHHA is generally done through the California State Warning Center and the OSPR duty officer system. There are no direct notification requirements.

- **Capabilities and Limitations:** OEHAA can assist responders in assessing and characterizing risks to public health and the environment from oil and chemical spill releases and provide health risk information to responding agencies. Generally, OEHHA supports larger scale chemical emergency responses. In the event of a marine spill, OEHHA will assess the risks from fishing and consuming fish in the impacted area. OEHHA's assessment will be used to determine whether closure of commercial and recreational fishing is necessary to protect public health. In general, OEHHA does the following:
  - o Provides chemical risk characterization information.
  - o Provides health information to incident command staff, and as appropriate, to the news media and release public health advisories.

- Assists responders in assessing potential exposures for decisions on sheltering-in-place, evacuation, and re-entry.
- Assist in environmental fate assessment, determining health and environmental consequences of breakdown products, reaction products, and inter-media transfers.
- Provides consultation on environmental sampling and residual risks associated with remediation.
- Supports local health agencies and health professionals following chemical releases by providing toxicological information.

California Environmental Protection Agency (Cal/EPA)

- **Responsibilities:** The California Environmental Protection Agency (Cal/EPA) was created in 1991 by Governor's Executive Order and is lead by a Secretary. Six Boards, Departments, and Offices were placed within the Cal/EPA "umbrella". [See ARB, OEHHA, CIWMB, DPR, DTSC, and SWRCB herein.]

  Cal/EPA's emergency response and recovery responsibilities concern air quality, waste management, toxic substances, pesticide release or exposure, chemical releases, water quality, and ecosystem effects. Also the Railroad Accident Prevention and Immediate Deployment Force (RAPID) was established within Cal/EPA. [See PUC §7718; see subsection 11.3 herein]

- **Notification Requirements:** Cal/EPA or one of its BDOs is required to receive reports of oil spills and related exposures. Notification of Cal/EPA is generally done through the California State Warning Center and the DTSC duty officer system. Other notification requirements are described in each BDO summary.

- **Capabilities and Limitations:** Cal/EPA emergency response activities are coordinated through the Emergency Response Management Committee (ERMaC), which is comprised of a representative from each of Cal/EPA's BDOs and through the Emergency Function for Hazardous Materials and Oil (EF-10) Annex to the State Emergency Plan. The Cal/EPA Emergency Operations Center can be opened during a large scale event by authority of the Secretary or by request of CalEMA. For an oil spill, Cal/EPA agencies can assist with:
  - Scientific support for toxicology, aquatic and ecotoxicology, exposure, and risk assessment.
  - Debris management.
  - Air monitoring and modeling (including emergency mobile monitoring and stationary lab capabilities).
  - Technical support for surface and groundwater contamination.

Department of Fish & Wildlife (CDFW)

- **Responsibilities:** The CDFW (formerly Department of Fish & Game) has public trust responsibility for the state's wildlife and habitat. The Fish & Game Commission and CDFW combined have enforced pollution since the early 1900s. The first Fish & Game Code was codified in 1933; the oil pollution provisions in the Code trace back to the 1915 Penal Code.

Office of Spill Prevention and Response (OSPR)

- The *Lempert-Keene-Seastrand Oil Spill Prevention and Response Act of 1990* established an Administrator, appointed by the Governor, serving at the direction of Governor, with primary state authority to direct all aspects of prevention, removal, abatement, response, containment, and cleanup efforts for any oil spill in marine waters of the state (including the ports of Stockton and Sacramento). The Administrator is also a Chief Deputy Director of CDFW. [See GC §8670.1 et seq.] The Office of Spill Prevention and Response (OSPR) began operations in 1991.

  The OSPR Administrator has the primary authority as the State Onscene Coordinator to direct removal, abatement, response, containment, and cleanup efforts with regard to all aspects of any placement of oil in any state waters where wildlife may be affected. [FGC §5655(d); GC §8670.7]

  The Administrator is mandated with maintaining this state Oil Spill Contingency Plan. [GC §8574.8]

  The Director of CDFW, in consultation with the Administrator and OEHHA, may close fisheries during marine oil spills. [FGC §5654]

- **Notification Requirements:** OSPR will be notified through the California State Warning Center. A post-spill report is required of the responsible party for marine oil spills. [14 CCR §827.02]

- **Capabilities and Limitations:** CDFW/OSPR performs the following responsibilities:
  - The Administrator is designated as the State On-Scene Coordinator for oil spills in state waters. [GC §8670.7; FGC §5655].
  - Qualified staff to fill positions within the ICS structure.
  - Through the RRT, approves the use of any chemical oil spill cleanup agents proposed for use in any fresh or marine waters of the state. (i.e., dispersants, bioremediation agents, biodegradable agents, herding agents, etc.) [GC §8670.13.1]
  - Determines when removal and cleanup actions are complete regarding wildlife and habitat impacts.
  - Conducts criminal and civil investigations.
  - Provides law enforcement authority.
  - Performs injury determination and damage assessment for natural resources held in public trust; seeks rehabilitation, restoration, and/or mitigation for injury caused by a spill.
  - Maintains expertise including enforcement, scientific, biological, engineering, maritime, and legal professionals.

California Department of Forestry and Fire Protection (Cal Fire)

- **Responsibilities:** California Department of Forestry and Fire Protection (Cal Fire), which includes the State Fire Marshal (SFM), has an Office of Pipeline Safety Division (OPS). OPS responds to and investigates spills, ruptures, fires, or similar incidents, involving intrastate and interstate oil and hazardous liquid pipelines. OPS has the ability to enforce Federal regulatory requirements 49 CFR, Part 195. The SFM maintains maps of all regulated pipelines and is the State repository for pipeline data by the National Pipeline Mapping System (NPMS).

- **Notification Requirements**: Immediate notification is required from the California State Warning Center for all oil and hazardous liquid pipeline breaks.

- **Capabilities and Limitations:** At an oil spill with a fire, Cal Fire could perform fire protection, suppression and prevention duties. Cal Fire may provide:
  - Incident Management Teams.
  - Support for emergency feeding operations of other state agencies.
  - Mobile Communications Units and logistical support.
  - Field observers to monitor conditions or monitor environmental contamination.
  - Support to local fire fighting agencies in accordance with fire mutual aid agreements.
  - HazMat trained personnel.
  - Emergency response hand crews.
  - Law enforcement personnel (Cal Fire has statewide peace officer powers and authority to enforce all California criminal statutes).
  - Explosive ordnance disposal technicians.
  - Pipeline safety inspectors.
  - Fixed and rotary wing aircraft.

California Highway Patrol (CHP)

- **Responsibilities:** The California Highway Patrol (CHP) serves as the Incident Commander or part of the Unified Command for oil spills that occur on all state freeways, at state buildings and on state grounds, even if located within political boundaries of a city. The CHP may be the Incident Commander for oil spills that occur on city and county roads if the local authorities enter into such an arrangement with CHP.

  CHP's authority does not include state properties where any other agencies have specific jurisdiction such as the University of California or state hospitals under the Department of Mental Health.

- **Notification Requirements:** Immediate notification is required for any oil spills that occur within the jurisdictional boundaries of the CHP. The CHP will subsequently notify CalEMA and Caltrans, or local street and road departments, as appropriate. In situations where another agency first becomes aware of an incident within CHP jurisdiction, the CHP must then

be notified.

- **Capabilities and Limitations:** CHP will not normally provide incident coordination support for oil spills that occur outside its jurisdiction. CHP capabilities include the following:
  - o Evaluate and report road conditions.
  - o Provide traffic control and rerouting.
  - o Prevent unauthorized entry into contaminated areas.
  - o Provide law enforcement.

Department of Resources Recycling and Recovery (CalRecycle)

- ***Responsibilities:*** *Department of Resources Recycling and Recovery (CalRecycle) is the state's leading authority on recycling, waste reduction, and product reuse. CalRecycle plays an important role in the stewardship of California's vast resources and promotes innovation in technology to encourage economic and environmental sustainability.*
- ***Notification Requirements:*** *None required for oil spills.*

State Lands Commission (SLC

- **Responsibilities:** The California State Lands Commission (SLC) acts as trustee by holding and managing all sovereign lands of the state. SLC has specific statutory jurisdiction over the operation of marine oil terminals located in the state, as well as trustee responsibility at other marine facilities on lands leased from the state. The SLC must consult with the OSPR Administrator and other affected local and federal agencies with respect to the rules, regulations, and guidelines regarding marine oil spill prevention. [PRC §8755]

  SLC reviews oil spill contingency plans of facilities in the marine waters.

  A written report is required of all lessees shortly after a spill incident is over. This report should include, at a minimum, the source, cause, size of spill, and actions taken.

- **Notification Requirements:** SLC should be notified of the following:
  - o Spills in navigable waters, including harbors, rivers and lakes;
  - o Spills occurring at marine terminals (whether onshore or offshore);
  - o Spills occurring at coastal facilities.

- **Capabilities and Limitations:** Lessees are required to maintain cleanup equipment on-site and to provide proper training of personnel. SLC staff provides assistance in determining the cause and amount of material spilled as well as assisting in damage assessments. SLC staff includes a variety of engineering, environmental, geological, biological, boundary determination, and legal professionals. Staff has expertise in offshore oil facility and marine oil terminal operations.

California National Guard (CNG)

- **Responsibilities:** The California National Guard (CNG) is a state military agency that provides support to fire and law enforcement operations, aviation, general transportation, and other support for emergency operations. In the event of a major hazardous materials incident. The CNG can provide support functions.
- **Notification Requirements:** Should be notified of significant events by the California State Warning Center.
- **Capabilities and Limitations:** CNG can provide limited support operations in the event of a large incident.

California Department of Industrial Relations

Division of Occupational Safety & Health Administration (CalOSHA)

- **Responsibilities:** The primary responsibility of the Division of Occupational Safety and Health Administration (CalOSHA) is to prevent and regulate occupational exposures and injuries in the workplace; this includes the health and safety of people responding to an oil spill. [see 8 CCR §5192]
- **Notification Requirements:** Immediate verbal notification to CalOSHA is required of employers when there is an exposure to a regulated carcinogen, serious injury, illness or death of an employee during any work activity, including those performed at an oil spill.
- **Capabilities and Limitations:** Regarding oil spills, CalOSHA can advise the Incident Command regarding potential occupational hazards.

Division of Oil, Gas, and Geothermal Resources (DOGGR)

- **Responsibilities:** The Division of Oil, Gas, and Geothermal Resources (DOGGR), within the Department of Conservation, is the lead state agency responsible for the supervision and regulation of well drilling and production operations within the territorial boundaries of California. DOGGR's mandates include preventing damage to natural resources that could result from oil, gas, and geothermal drilling, production, or plugging and abandonment operations.
- **Notification Requirements:** Oil spills of any amount that threaten state waters must be reported immediately to the California State Warning Center. And spills that do not threaten state waters should be reported pursuant to other applicable reporting requirements. Spills should also be promptly reported to the agencies specified in the operator's oil spill contingency plan. Blowouts, fires, serious accidents, and significant gas or water leaks resulting from or associated with oil or gas drilling or producing operations, or related facilities, must be promptly reported to the appropriate DOGGR district office. [See 14 CCR §1722(h)(i)]

  However, regarding spills in oil fields in the San Joaquin Valley, there are

unique field rules regarding oil spills that must be reported:
  - Spills of any amount that threaten state waters.
  - 5bbls or more which are uncontained (state waters not threatened).
  - 10 bbls or more within containment (state waters not threatened).
  - Any spill involving a fire or explosion.
  - An operator who spills oil in amounts less than the San Joaquin Valley field rule volumetric thresholds is exempt from all other applicable state and local reporting requirements.
  - [See PRC §3233]; and ftp://ftp.consrv.ca.gov/pub/oil/Oil_spill_reporting.pdf

- **Capabilities and Limitations:** Regarding a pollution incident resulting from a drilling or production facility, DOGGR can help determine the owner/operator, and advise regarding appropriate actions necessary to control and secure the source.

  DOGGR maintains records of the operator, location, production and injection data, and construction details for all oil, gas, and geothermal wells, plus location and capacity information for tanks associated with oil production operations.

California Department of Parks and Recreation (Parks)

- **Responsibilities:** The Department of Parks and Recreation (Parks) is responsible for state parks, beaches, and certain historic sites.

- **Notification Requirements:** Parks must be notified if an oil spill incident may impact a Parks unit.

- **Capabilities and Limitations:** Parks can provide Agency Representatives, peace officers, firefighters, Environmental Scientists, HAZMAT First Responders (Operational), oiled wildlife rescuers, volunteer management support personnel, and vessels with operators.

- Parks supports the Office of Historic Preservation (OHP). The State Historic Preservation Officer should be contacted if there is a concern that the oil spill or response activities may affect historic or Native American locations, items, or artifacts.

Department of Pesticide Regulation (DPR)

- **Responsibilities:** The Department of Pesticide Regulation (DPR) is responsible for the protection of human health and the environment by regulating the registration, sale, and use of pesticides and by fostering reduced-risk pest management. During emergencies, DPR participates in, and supports, the Cal/EPA Emergency Response Management Committee (ERMaC) whose role is to effectively manage the public health and environmental consequences of emergency events through coordinated, agency-wide preparedness, response, recovery, and mitigation activities.

- **Notification Requirements:** None required for oil spills. Notification for DPR is generally done through the State Warning Center.

- **Capabilities and Limitations:** None related to oil spills.

California Department of Public Health (DPH)

- **Responsibilities:** California Department of Public Health (CDPH) is responsible for protecting public health.

  CDPH regulates public water systems to ensure drinking water is potable. If an oil spill may affect a public water system or drinking water source such as a lake, river, or aqueduct, the Drinking Water Field Operations Branch will work with local water utilities to prevent contamination of the system. The Field Operations Branch will also issue recommendations to the public in coordination with the utility and local health department to prevent use of contaminated water.

  The CDPH Environmental Management Branch Shellfish Program is responsible for the safety of commercially grown shellfish in California. Program staff will respond to oil spills that threaten shellfish growing areas and, along with the Food and Drug Branch, OEHHA, and other state and local agencies, prevent harvesting or sale of contaminated mussels, clams, and oysters.

  CDPH can close an area if shellfish may be unfit for consumption due to chemical causes, such as an oil spill. [See HSC §112160]

- **Notification Requirements:** None for oil spills.

- **Capabilities and Limitations:** The various CDPH programs maintain equipment for personal air monitoring, environmental sampling, and remote plume monitoring. CDPH laboratory support is available for sample analysis of materials including air and water.

California Public Utilities Commission (PUC)

- **Responsibilities:** The Railroad Operations and Safety Branch of the California Public Utilities Commission (PUC) has responsibility and authority for investigation of railroad accidents, which includes oil spills. It performs railroad safety oversight of daily operations and inspections of new and existing facilities for compliance with the PUC General Orders and with Federal Requirements. Internal staff investigation reports are required. These reports can result in a formal Commission Investigation. [PUC §315]

- **Notification Requirements:** Immediate notification is required via the California State Warning Center for railroad accidents.

- **Capabilities and Limitations:** The headquarters office and field offices throughout the state provide field investigators to conduct on-site investigations of transportation incidents.

San Francisco Bay Conservation & Development Commission (BCDC)

Making San Francisco Bay Better

- **Responsibilities:** The San Francisco Bay Conservation and Development Commission (BCDC) has planning, permitting and enforcement authority over development within San Francisco, San Pablo, and Suisun Bays and within a 100-foot wide band of the surrounding shoreline. [See GC §66600 *et seq*.; PRC §29000 *et seq*.]

  BCDC can review proposed local government oil spill contingency plans, vessel and facility oil spill contingency plans, and proposed regulations. BCDC is also represented on the San Francisco Harbor Safety Committee. BCDC must assist the OSPR Administrator with studies regarding improvements to oil spill contingency planning, response equipment, and operations. [GC §8574.9, §8574.10; §8670.23, §8670.36, §8670.37]

- **Notification Requirements:** BCDC must be notified by the California State Warning Center of any discharge or threatened discharge of oil in marine waters within BCDC's jurisdiction. [GC §8670.25.5(b)]

- **Capabilities and Limitations:** BCDC does not have equipment, communications systems, or funding sources for spill response; but BCDC staff can provide technical assistance based on local knowledge of potential resource impacts, site ownership, and site access.

Department of Toxic Substances Control (DTSC)

Department of Toxic Substances Control

- **Responsibilities:** The Department of Toxic Substance Control (DTSC) regulates the handling, storage, treatment, and disposal of hazardous wastes.

  Oil and petroleum products must be *handled, stored*, *labeled*, and *transported*, similar to other hazardous materials and substances. However, for purposes of *cleanup*, a spill of oil or petroleum that is a product or commodity is not addressed under the laws and regulations implemented by DTSC. Instead, oil spill cleanup laws such as found in the Fish and Game Code, the Government Code, or the Water Code must be used to provide authority for cleanup. Yet, the spilled contaminated oil (e.g. dirt mixed in with diesel) must comply with DTSC's waste handling, storage, treatment and disposal requirements.

- **Notification Requirements:** Immediate notification, pursuant to facility contingency plans, is required for releases from permitted treatment, storage, and disposal facilities.

- **Capabilities and Limitations:** Can provide technical advice regarding the safe handling or appropriate disposal of toxic materials.

California Department of Transportation (Caltrans)

- **Responsibilities:** The California Department of Transportation (Caltrans) is responsible for planning, designing, constructing, operating, and maintaining the state highway system. In coordination with other response agencies they ensure proper cleanup and restoration of the highway within its rights-of-way. Caltrans is responsible to determine the degree and type of maintenance required to restore the flow of traffic while protecting the health, safety, convenience, and welfare of the general public. Caltrans determines when the roadway is re-opened.

- **Notification Requirements:** Immediate notification to the local Caltrans District communication center or dispatch is required, regardless of quantity, of any oil spill within the state highway rights-of-way. This notification can be initiated by the local agencies directly to Caltrans field office or Caltrans dispatcher.

- **Capabilities and Limitations**: Caltrans is capable in assisting emergency responders with staff and equipment. Equipment and storage facilities may be provided within the limitations of the District where the incident occurs. Caltrans can perform the following:
  - Contract with emergency response contractors to clean up spills within the State highway rights-of-way who are under the control of Caltrans.
  - Assist public and private agencies in the identification and containment of an oil spill.
  - Assist CHP with traffic control and routing needs.
  - Repair and restore contaminated or damaged highways.
  - Maintains staff trained to the Hazardous Material Technician level.
  - Maintains a contingency plan for incident response.

California Volunteers

- **Responsibilities:** California Volunteers is responsible for volunteer coordination and monetary disaster donations pursuant to Executive Orders S-04-06 and S-04-08. For oil spills, California Volunteers is the designated statewide mutual aid coordinator for volunteer resources which includes both spontaneous and trained volunteers. California Volunteers is also responsible for the receipt and coordination of monetary disaster donations.

- **Notification Requirements:** Notification for large oil spills.

- **Capabilities and Limitations:** California Volunteers assists with the management of spontaneous volunteers through coordination with the statewide network of local volunteer centers. California Volunteers is the designated statewide mutual aid coordinator for volunteer resources and as such would staff the Volunteer Coordination Branch in the Operations Section at the CalEMA State and Regional Operations Centers.

California Department of Water Resources (DWR)

- **Responsibilities:** The Department of Water Resources (DWR) has primary responsibility to protect the operation and water quality of the State Water Project. This includes providing water of a quality that can be used for agricultural, recreational, municipal, and industrial purposes. Activities supporting this responsibility include protection of State Water Project facilities and flood control facilities.
- **Notification Requirements:** Immediate notification to DWR is required when an incident threatens to contaminate or disrupt the operation of the State Water Project and its conveyance facilities, or if a significant release of oil occurs into the San Joaquin Delta.
- **Capabilities and Limitations:** Can suspend pumping and isolate and/or drain specific sections of the State Water Project.

State Water Resources Control Board (SWRCB)

Regional Water Quality Control Boards (RWQCB)

- **Responsibilities:** The State Water Resources Control Board (SWRCB) has the primary responsibility to protect the state's surface, coastal, and groundwater resources for human use, and regulate water rights.

  There are nine Regional Water Quality Control Boards (RWQCB), one located in each of the nine major watersheds of the state. The RWQCBs are guided by policies established by the SWRCB, and develop basin plans, issue waste discharge requirements, take enforcement action against violators, and monitor water quality.

  Reports may be required for oil spills as a condition of discharge permits.
- **Notification Requirements:** Immediate notification is required by the California State Warning Center to the appropriate RWQCB of all oil spills that enter or threaten to enter any waters of the state.
- **Capabilities and Limitations:** Support functions may include the following:
  - Provide funding for response and cleanup.
  - Provide technical assistance to the Unified Command.
  - Conduct water sampling, analysis, and monitoring activities to assist in evaluation and mitigation.
  - In cooperation with DTSC, designate sites for disposal of oil.
  - Assist CDPH in advising water users of potential risks due to a spill.
  - Issue cleanup and abatement or cease and desist orders to responsible parties, as appropriate.

11.3 Independent State Oil Spill Committees and Bodies

Oil Spill Technical Advisory Committee (TAC)

- The Oil Spill Technical Advisory Committee (TAC) provides public input and independent judgment of the actions of the OSPR Administrator and the State Interagency Oil Spill Committee. The TAC consists of ten appointed members: six by the Governor, two by the Speaker of the Assembly, and two by the Senate Rules Committee. [See GC §8670.54 *et seq.*]
- TAC provides recommendations to the Administrator, the State Lands Commission, the California Coastal Commission, the San Francisco Bay Conservation and Development Commission, and the State Interagency Oil Spill Committee, on all marine oil spill prevention and response rules, regulations, guidelines, and policies. [GC §8670.55]
- TAC may, at its own discretion, study, comment on, or evaluate, any aspect of marine oil spill prevention and response in the state. [GC §8670.55]
- TAC shall report biennially to the Governor and the Legislature on its evaluation of oil spill response and preparedness programs within the state and may prepare and send any additional reports it determines to be appropriate to the Governor and the Legislature. [GC §8670.55]
- All marine oil spill contingency plan regulations shall be developed in consultation with the TAC. [GC §8670.28, §8670.29]
- TAC must be consulted by the OSPR Administrator regarding OSPR regulations and guidelines addressing the adequacy of marine oil spill contingency plan elements of business and hazardous materials area plans required pursuant to Health and Safety Code section 25503. [GC §8670.35]
- The Administrator must present the recommendations of the Oiled Wildlife Care Network Rescue and Rehabilitation Advisory Board to the TAC upon the request of the TAC. [GC §8670.37.5]
- TAC may review marine oil spill contingency plans prepared by vessels and facilities. [GC §8670.36]
- TAC activities may be funded from the Oil Spill Prevention and Administration Fund. [GC §8670.56]

Railroad Accident Prevention and Immediate Deployment Force (RAPID)

- The Railroad Accident Prevention and Immediate Deployment Force (RAPID) was established within Cal/EPA in 1991. [PUC §7713, §7714, §7718] The express statutory fee schedule for funding this program went inoperative at the end of 1995. [PUC §7714.5] However, the RAPID body has not been repealed.

Harbor Safety Committees (HSC)

- The OSPR Administrator must establish Harbor Safety Committees for harbors and adjacent regions of San Diego; Los Angeles/Long Beach; Port Hueneme; San Francisco; and Humboldt Bay. The Administrator also determines the geographic area for each Harbor Safety Committee. [GC §8670.23]
- Each Harbor Safety Committee is responsible for planning for the safe navigation and operation of tank ships, tank barges, and other vessels within each harbor. Each Committee must prepare a harbor safety plan, encompassing all vessel traffic within the harbor. And each year each Committee shall revise its respective harbor safety plan and report its findings and recommendations to the Administrator. [GC §8670.23.1]
- The Administrator may direct a Harbor Safety Committee to address any issue affecting maritime safety or security, as appropriate, and to report findings and recommendations on those issues. The Administrator shall forward those findings and recommendations to the appropriate authority. [GC §8670.23.1]
- The Administrator must adopt regulations regarding the harbor safety plans; the Administrator implements the plans. [GC §8670.23.1]
- The Administrator shall be guided by the recommendations of the Harbor Safety Committees. The OSPR Administrator may adopt regulations that differ from the recommendations of the Harbor Safety Committees only after a public hearing. [GC §8670.17.2]

Pacific States / British Columbia Oil Spill Task Force

- The Pacific States/British Columbia Oil Spill Task Force was authorized by an initial Memorandum of Cooperation (MOC) signed in 1989 by the Governors of Alaska, Washington, Oregon, and California and the Premier of British Columbia following the Nestucca and Exxon Valdez oil spills. [See http://www.oilspilltaskforce.org/]
- The OSPR Administrator is required to enter into discussions on behalf of California for the purpose of developing interstate agreements regarding oil spill prevention and response. [See GC §8670.9] The MOC was revised in 2001 and additionally includes Hawaii and the USCG. [See http://www.oilspilltaskforce.org/docs/mou.pdf]
- The Task Force assesses interstate and cross-border issues such as:
  - Coordination of vessel safety and traffic.
  - Oil spill prevention equipment and response required on tank ships and tank barges and at terminals.
  - The availability of oil spill response and cleanup equipment and personnel.
  - Other matters that may relate to the transport of oil and oil spill prevention, response, and cleanup.

11.4 Native American Indian Tribes

Native American Indian Tribes

ICS principles provide for tribal involvement during response activities, where representatives can be part of the Unified Command. Treaty rights also allow tribes to be a partner in the planning process and to potentially become a resource owner (or trustee) should those resources become impacted during an oil spill.

Reporting: Oil spills on tribal lands should first be reported to the National Response Center. [see Section I, supra] Assistance in evaluating and responding to spills can be obtained from the US EPA Region IX Emergency Response Office by calling US EPA's 24-hour number. A US EPA On-Scene Coordinator should be available to help assess the situation and determine what type of response is appropriate. Since US EPA resources are dispatched from San Francisco, situations that need an immediate response should be handled by tribal or local response resources. Thus Tribes without appropriate oil spill response resources should develop agreements with local organizations or agencies that have those capabilities.

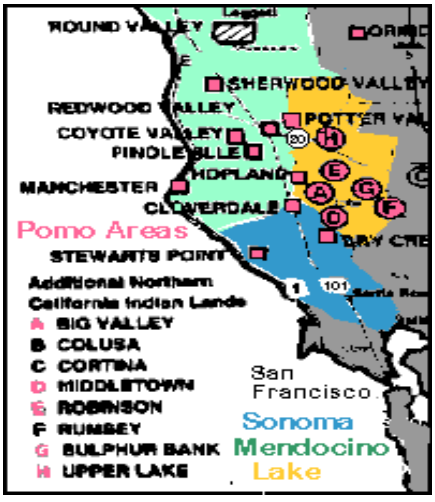
Further Assistance & Resources: Information regarding spills and cleanup on Tribal land is found in several sources:

- US EPA's Technical Assistance Bulletin Volume 10, Number 2: "SARA Title III On Indian Lands: A Guide to the Emergency Planning and Community Right-to-Know Act".
- The Tribal Environmental and Natural Resource Assistance Handbook (March 1999), developed by the Domestic Policy Council Working Group on American Indians and Alaska Natives, with significant contributions from the Native American Fish & Wildlife Society, provides a compilation of Federal sources available to Tribes for both technical and financial assistance for environmental management. [see US EPA's Indian Environmental Office http://www.epa.gov/indian]
- Native American Indian tribes and Tribal Emergency Response Commissions (TERCs) can obtain technical assistance in emergency planning and response to oil spills from the US EPA Region IX office.

FEMA has developed an American Indians Tribes and Alaska Native Tribes Policy which outlines government-to-government principles for working together on issues related to disaster preparedness, mitigation, emergency response, and recovery.

The following maps provide information on federally listed Native American Indian Tribes in California.

Map of California with locations of Federally Recognized Indian Tribes



Detail Map of Pomo Area

Further information on California Native American Indian Tribes (including a list of federally recognized and non-recognized Tribes in California, tribal contacts, and maps) can be obtained from Bureau of Indian Affairs (BIA) and US EPA and these sites:

- http://www.epa.gov/indian/
- http://www.fema.gov/tribal
- http://www.bia.gov/WhoWeAre/RegionalOffices/Pacific/WeAre/Tribes/index.htm
- http://www.indiandata.com
- http://indians.org/tribal-directory-southwest-california-indian-tribes.html

11.5 Federal Government

Overview

This section provides a synopsis of federal agencies' roles and responsibilities when responding to an oil spill incident. Further information on federal agency roles and responsibilities can be found in the following:

- National Response Framework http://www.fema.gov/pdf/emergency/nrf/nrf-core.pdf
- National Incident Management System
- National Oil and Hazardous Substances Pollution Contingency Plan
- Regional Contingency Plans
- Area Contingency Plans

Federal response to an oil spill incident will vary according to the nature of the incident. Many different agencies may be involved, and the agency responsible for coordinating federal activities depends on the circumstances and location of the incident. The two federal agencies with primary oil spill emergency response mandates are the U.S. Coast Guard and the U.S. Environmental Protection Agency. Federal agencies can be accessed during an oil spill emergency by calling the National Response Center (See Section I).

Pollution incidents involving oil are addressed in the National Contingency Plan (NCP). [40 CFR Part 300] Generally the NCP identifies the Federal On-Scene Coordinator (FOSC) for incidents in navigable waters of the United States as the USCG, and the US EPA for inland areas and non-navigable waters. For major pollution incidents, the National Response System may be activated, as described in the National Contingency Plan.

The FOSC will be guided by appropriate legislative and regulatory authorities, the national, regional and local contingency plans, and the circumstances unique to each incident, to ensure that pollution response is carried out expeditiously and effectively.

The FOSC may obtain support from numerous private, commercial, and governmental organizations. However, four federal groups were created solely to support and augment the FOSC's staff by providing specialized pollution response expertise. They are the USCG National Strike Force, which includes the Pacific Strike Team, the US EPA Environmental Response Team, the NOAA Scientific Support Coordinators (SSC's), and the USCG Public Information Assistance Team (PIAT).

United States Coast Guard (USCG)

United States Coast Guard (USCG) serves as the FOSC for oil spill response and cleanup actions on navigable waters of the Untied States, including the territorial seas, rivers that flow to the sea, and interstate lakes (e.g., Lake Tahoe). This does not include rivers or lakes that are wholly within a state which are not connected to the sea (e.g. Castaic Lake) and have not been used in interstate commerce, and does not include oil spill incidents involving DOD or DOE vessels or facilities. The USCG will monitor removal actions which are being conducted by the responsible party. (See U.S. Department of Homeland Security herein for additional information) The USCG operates the National Response Center (NRC) and can access federal funding for abating and mitigating releases.

The USCG has some capability to contain and clean up spills through the National Strike Force and the Pacific Strike Team.

National Strike Force: FOSC's are encouraged to use the USCG's National Strike Force (NSF) whenever necessary or to augment the FOSC's staff when it is overburdened by a response to a given incident. The strike teams that comprise the NSF can provide communications support; oil spill removal expertise; vessel damage control; and support to monitor removal operations, document costs, and coordinate logistics. The NSF should be contacted by the FOSC when:

- A medium or major discharge has occurred.
- Control of the discharge requires the special knowledge or capabilities of the NSF.
- Response will require many days to complete removal operations, and augmentation by NSF personnel will release local forces to return to normal operations.
- The NSF is also available to assist state and local governments, provided that such assistance does not interfere with supporting FOSCs or other federal agencies.
- See http://www.uscg.mil/hq/nsfweb/

Pacific Strike Team: The USCG's Pacific Strike Team (PST) is based at Hamilton Air Force Base (AFB) in Marin County, and is one of three NSF pollution control teams. The PST is equipped and trained to assist in the response to oil or chemical incidents occurring in the western area of the United States. FOSCs frequently activate special teams under the Special Forces Section of the NCP to support response operations. The PST is a special unit of the USCG that specializes in response to oil and hazardous material spills. The PST maintains a large warehouse of response equipment in Novato, California. Their inventory includes mobile command posts, communication equipment, all levels of personnel protective equipment, portable decontamination facilities and an assortment of boats, pumps, skimmers, water booming systems, generators, air monitoring equipment, EMT kits, FOSC Field Documentation Kits and other response

equipment to supplement other resources. It is common practice for FOSC's to assign a qualified PST member as Site Safety Officer. Services available from the PST include the following:

- Technical expertise.
- Supervisory assistance.
- Cost documentation.
- Responds to spill incidents.
- Deployment of salvage and pollution control equipment.
- Training in pollution response techniques.

The USCG also co-chairs the Region IX Regional Response Team (RRT) with US EPA. The RRT's area of responsibility includes the marine and inland areas of the states of California, Arizona, and Nevada. Responsibility for long-term removal actions may be transferred to US EPA.

The person responsible for an oil spill must notify the NRC as soon as possible. [40 CFR parts 300.300 and 300.405] Any oil spill must be reported to the NRC Duty Officer, in Washington DC. All notices of spills received at the NRC will be relayed immediately to the pre-designated FOSC. [40 CFR 300.125] If direct reporting to the NRC is not practicable, reports may be made to the USCG for the geographical area where the release occurs. The USCG Sectors in California are:

- San Francisco (Oregon border to southern Monterey County)
- Los Angeles/Long Beach (San Luis Obispo County to southern Orange County)
- San Diego

The FOSC must submit to the NRT or RRT a complete report on the removal operation and the actions taken, if requested by the NRT or RRT. The RRT will review the FOSC report and send to the NRT a copy of the FOSC report with its comments or recommendations within 30 days after the RRT has received the report. The FOSC report should record the situation as it developed, the actions taken, the resources committed, and the problems encountered with comments and recommendations.

United States Environmental Protection Agency (US EPA)

United States Environmental Protection Agency (EPA) will provide an FOSC for incidents on land and in non-navigable waterways (e.g. rivers that do not flow to the ocean; lakes wholly within a state that are not connected to a river). This does not include oil spills involving DOD or DOE vessels or facilities. US EPA will monitor removal actions which are being conducted by the responsible party. US EPA can access federal funding to abate and mitigate releases.

US EPA's emergency response program is supported by highly trained, experienced and dedicated federal contractors. Additionally, the FOSC can activate Special Forces and Technical Support Centers to support major spill response and cleanup efforts.

US EPA does not usually initiate first response actions. Local or state governments under their normal law enforcement and public health emergency powers take these actions.

Emergency Response and Rapid Services contracts (ERRS) are US EPA's method for hiring cleanup contractors. ERRS contractors can provide labor, equipment, materials and subcontractor services needed to perform stabilization, cleanup, and recovery activities at oil spills. ERRS also has trained transportation and disposal coordinators. ERRS response managers, technicians and equipment operators are trained in planning and conducting removal operations, neutralizing chemical spills, excavating, stabilizing or bioremediating contaminated soils, containerizing hazardous wastes, constructing and operating a variety of waste treatment and decontamination systems and other cleanup operations.

Environmental Response Team (ERT) is a special team comprised of specialists, scientists, and engineers, based in Las Vegas, NV, Edison, NJ; and Cincinnati, OH. ERT usually becomes involved in unusual and complex environmental response actions. ERT can provide specialized equipment such as mobile laboratories and highly sophisticated monitoring equipment. ERT will work closely with the FOSC in evaluating the use and effectiveness of cleanup technologies including bioremediation, low-temperature thermal desorption, water treatment systems, stabilization and solidification, surface washing agents, dispersant use and other technologies. The ERT is responsible for activating the Environmental Emergency Response Unit (EERU), a unit which can provide on-scene equipment capable of removing pollutants from contaminated water, conducting treatment studies, and performing a wide range of analytical capabilities.

The disciplines of the ERT include environmental engineering, chemical engineering, veterinary medicine, chemistry, biology, environmental health, risk assessment, sanitary engineering, and analytical support. Areas of expertise include:

- Determining safety precautions for removal.

- Evaluating the nature and extent of contamination.
- Identifying hazards of pollutants.
- Assessing degree of mitigation/removal required.
- Identifying critical and sensitive areas.
- Selecting disposal methods and appropriate disposal facilities.
- Provides access to special decontamination equipment.

US EPA also chairs the U.S. Oil and Hazardous Substances National Response Team (NRT); and US EPA Region IX co-chairs the RRT with the USCG. The Region IX RRT's area of responsibility includes the marine and inland areas of the states of California, Arizona, and Nevada. US EPA's Region IX headquarters is in San Francisco, California.

Federal Emergency Management Agency (FEMA)

Federal Emergency Management Agency (FEMA) under the Department of Homeland Security (DHS) is the Federal lead agency for the management of Presidentially declared disasters and coordinates with other Federal agencies for disaster response and recovery activities. FEMA administers disaster assistance programs provided under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public law 93-288, as amended. This Act allows FEMA to provide assistance to individuals and to State and Local governments to help them respond to, recover from, and mitigate for the effects of disasters. FEMA serves as the lead agency in the management of response and recovery in affected areas after a major disaster, if requested by the Governor and declared by the President.

Currently, the National Response Framework (NRF) provides the mechanism for coordinating delivery of federal assistance and resources to augment efforts of state and local governments overwhelmed by a major disaster or emergency. [See http://www.fema.gov/emergency/nrf] The NRP may be implemented in anticipation of a significant event likely to result in a need for federal assistance and/or in response to an actual event requiring federal assistance under a Presidential declaration of a major disaster or emergency. An oil spill incident could cause sufficient injury and damage to merit a Presidential declaration or an oil spill incident may be the consequence of a larger encompassing disaster or emergency declaration.

The NRF has several Emergency Support Function (ESF) annexes. ESF #10 is the Oil and Hazardous Materials Response Annex (Primary agency US EPA). ESF #10 provides federal support to State and Local governments in response to an actual or potential release of oil following a major disaster or emergency. As an element of the NRF, ESF #10 may be activated under one of the following conditions:

- In response to a disaster for which the President (through FEMA) determines that federal assistance is required to supplement the response efforts of the affected State and local government; or
- In anticipation of a major disaster or emergency that is expected to

result in a declaration of emergency.

After the declaration of an emergency or disaster the President (through FEMA) may direct federal agencies to utilize their authorities and resources in support of local and state emergency assistance efforts to save lives, protect the public health and safety, and to protect property.

FEMA encourages the development and maintenance of federal, state, and local hazard disaster planning and mitigation measures. FEMA also provides related training through the National Emergency Training Center.

Other Federal Agencies

United States Department of Commerce

National Oceanic and Atmospheric Administration (NOAA)

National Oceanic and Atmospheric Administration (NOAA) provides scientific support to the FOSC during incident responses and contingency planning in coastal and marine zones. This support includes assessments of the hazards that may be involved, predictions of the movement and dispersion of oil through trajectory modeling and on-scene observations, and information on the sensitivity of coastal environments to oil. NOAA has developed software programs to assist emergency responders, planners, and LEPCs in the management of oil spills. When requested, NOAA may provide Scientific Support Coordinators for responses.

Two divisions of NOAA serve as trustees of specific natural resources: the National Marine Fisheries Service and the National Marine Sanctuary Program. NOAA also has a Damage Assessment and Restoration Program involved in spill NRDA and restoration activities.
http://docs.lib.noaa.gov/noaa_documents/NOS/ORR/1395_FOSC_Guide.pdf
Hazardous Materials Response Branch (HMRB) of NOAA provides the following services:

- Scientific advice to the USCG and the US EPA to minimize the effects of spills and hazardous waste sites affecting the nation's coastal zone; and,
- Planning assistance to the USCG, US EPA, fire departments, and LEPCs in dealing with oil and chemical emergencies.

Scientific Support Coordinators (SSCs) can augment the FOSC's staff by providing scientific advice and arranging for scientific support on-scene. During a response, the SSC serves under the direction of the FOSC with the responsibility to provide scientific support for operational decisions and to coordinate on-scene scientific activity. Typically, the SSC would be within the Environmental Unit of the Planning. Depending upon the nature of the incident, an SSC can be expected to work with government agencies, universities, and industry to compile information that would assist the FOSC in assessing the hazards and effects of spills and developing response strategies. The SSC augments, rather than replaces,

the local scientific knowledge. Local teams generally have the advantage of minimal response times, familiarity with the area, and a working rapport with other local entities. On the other hand, oil spill response may become extremely complex and require expertise and resources not usually available at the local level. FOSCs are encouraged to use the SSC as they would use other special forces available to them. SSC assistance can be requested by contacting the regional SSC, identified in the Regional Contingency Plan.

During a major incident, the SSC will be supported by the NOAA regional operation center located in Seattle, Washington. The SSC can assist in assessing the hazards that may be involved, and provides predictions of movement and dispersion of oil through trajectory modelling. The SSC can also provide information on actual or predicted meteorological and hydrological conditions for inland waterways and situational mapping and resource tracking displays for response planning purposes.

Areas in which the SSC can provide assistance include the following:

- Assessment of adverse effects/mitigation strategies: This assistance is frequently required during the initial phases of an incident when response operations and cleanup strategies are being developed. Activities to protect and mitigate adverse effects on human health and welfare, and the environment include:
    - Liaising with natural resource and chemical experts;
    - Modeling of spill trajectories modeling;
    - Assessing and advising on the nature, behavior, and fate of oil under various environmental conditions;
    - Identifying areas of special biological importance;
    - Advising on safety precautions for response personnel;
    - Assisting in public relations efforts on scientific issues.
- Contingency Planning Assistance: Prior to a spill, considerable information can be provided by the SSC in developing regional and local contingency plans. This information can include the probability that spills originating from a given location will affect specific areas; the location of environmentally sensitive areas; background data on the behavior of various pollutants known to be transported in a given area; and the possible environmental impact of an oil release.
- Shoreline Cleanup Assessment Team (SCAT) surveys, and assisting with the determination of when an area is “clean”.
- “Section 7” coordination pursuant to the Federal Endangered Species Act.

United States Army Corps of Engineers

US Army Corps of Engineers (Corps) will provide assistance in processing Section 404 (Clean Water Act) emergency permits, when required. The Corps will, to the extent possible, alter the channel flow volumes of water sources from control structures under their management authority to reduce the negative environmental effects of a pollution incident or assist in spill response operations.

United States Department of Defense

Department of Defense (DOD) will provide assistance in investigations to evaluate the magnitude and severity of discharges or releases on or adjacent to resources under the jurisdiction of DOD. The DOD also documents damage to natural resources under their management authority. DOD will provide an FOSC for releases of hazardous substances, pollutants, or contaminants from DOD facilities and vessels. The DOD is responsible, as is any federal agency, for cleanup of oil discharged from its vessels and facilities.

United States Navy

US Navy will provide assistance in procuring pollution response equipment from Navy stockpiles when required by the FOSC.

Navy policy requires Navy commands to report to the National Response Center any discharge of oil which causes a sheen upon or discoloration beneath the surface of the navigable waters of the United States, any other discharge of oil which threatens to reach the navigable waters of the US, and any release of hazardous substances.

The Navy's policy is to respond to Navy spills and to undertake direct and immediate action to minimize the spill's effect. To execute this policy, the Navy uses a three-tier system and a network of response assets. Tier 2 and 3 responses are overseen or directed by the applicable Navy OSC.

The Navy's Office of the Director of Ocean Engineering, Supervisor of Salvage and Diving (SUPSALV) SUPSALV is responsible for all aspects of ocean engineering, including salvage, in-water ship repair, contracting, towing, and diving safety. SUPSALV could be called upon for spills involving vessels.

United States Department of Health & Human Services

US Department of Health and Human Services (DHHS) is the federal lead agency for public health and medical support. DHHS provides advice and information when chemical releases violate or may violate public health laws administered by the US EPA. DHHS makes determinations that illness or complaints thereof may be attributable to exposure to a pollutant, including spilled oil, and will provide expert advice and

assistance on actual or potential discharges or releases that pose a threat to public safety and health.

The primary agency within DHHS that has responsibility for oil spill issues is the Agency for Toxic Substances and Disease Registry (ATSDR). ATSDR has an Emergency Response Coordination Branch in Atlanta, Georgia. ATSDR Public Health Advisors are assigned to cover each US EPA Region. In California, these individuals work at the US EPA Region IX office in San Francisco. The ATSDR Public Health Advisors have a wide range of expertise in health-related problems and are available to assist FOSCs during response actions. Upon the request of the FOSC or RRT, DHHS can arrange for ATSDR to assist in assessing public health threats posed by an incident, provide advice on the adequacy of personnel protection measures within the response area, investigate health complaints, provide advice on the need to relocate nearby residents, and coordinate the appropriate health response with public health agencies and the private medical community.

ATSDR advisors are also available to assist in developing occupational safety and health considerations for local contingency plans and provide information on the location and availability of laboratory services, expert consultants, hospitals, and other treatment facilities.

United States Department of Homeland Security (DHS)

Department of the Homeland Security (DHS) The mission of the Secretary of DHS is to protect the nation against terrorist attacks. After 9/11 numerous agencies have been moved under the oversight of DHS. In the event of a natural disaster or other large-scale emergency involving an oil spill, certain DHS agencies may provide a coordinated, comprehensive federal response and recovery effort. Relevant to oil spills, the primary DHS agency is the USCG. DHS assumes primary responsibility for ensuring that emergency response personnel are prepared for any situation.

- United States Coast Guard (USCG) The Commandant of the USCG reports directly to the Secretary of DHS. However, the USCG will also work closely with the Under Secretary of Border and Transportation Security as well as maintain its existing independent identity as a military service.

- Bureau of Citizenship and Immigration Services (BTS) BTS enforces immigration laws. BTS could be involved at an oil spill from a vessel with non-U.S. crew members or passengers.

- Federal Emergency Management Agency (FEMA) FEMA administers disaster assistance programs by the Robert T. Stafford Disaster Relief and Emergency Assistance Act .

United States Department of the Interior (DOI)

Department of the Interior (DOI) provides assistance to evaluate the magnitude and severity of discharges on or affecting facilities or resources under its various agencies' jurisdiction, and in documenting damages to natural resources for which it has trustee responsibilities. Within the Office of Environmental Policy and Compliance, the Regional Environmental Officer is the Secretary of the Interior's overall field coordinator. Several DOI agencies may provide assistance during oil spills.

Fish & Wildlife Service (USFWS) will provide advice on migratory birds, anadromous fish, and endangered and threatened species. The USFWS also has an Environmental Response/Natural Resource Damage Assessment and Restoration program.

US Geological Survey (USGS) may provide expertise in geology and hydrology, sample collection, and measurements. The Biological Resources Division (BRD) will provide biological survey assistance for natural resources and contaminants.

Bureau of Indian Affairs (BIA) will assist in obtaining access to Indian land areas as needed for response actions and will coordinate with the incident Liaison Officer to ensure pertinent information is made available to tribal authorities on a timely basis.

Bureau of Land Management (BLM) may provide expertise in the field of oil and gas drilling, production, handling, and transportation by pipeline. BLM also provides access to BLM lands as needed for response actions.

Bureau of Safety and Environmental Enforcement (BSEE) works to promote safety, protect the environment, and conserve resources offshore through vigorous regulatory oversight and enforcement. BSEE has expertise regarding offshore drilling and production practices and facilities, and offshore minerals. The BSEE Oil Spill Response Division (OSRD) is setting a new standard for offshore oil spill response through comprehensive planning, integrated industry and government preparedness and the use of the best available technology

For oil spills involving OCS facilities, BSEE can assist with source identification, oversee spill abatement, and approves resumption of operations. BSEE OSRD can provide expert advice and assistance on actual or potential releases from offshore oil and gas exploration, production, and transportation facilities and platforms that pose a threat to public health and safety. BSEE maintains computer models for the calculation of pipeline oil discharge volumes.

An owner or operator of a facility located seaward of the coastline on the OCS must immediately notify the National Response Center if an oil

spill, regardless of size, is observed originating from the facility, another offshore facility, or an unknown source. If a spill from the facility is of 1 barrel or more, the owner or operator must notify the BSEE Regional Supervisor, Office of Field Operations, without delay. [30 CFR §254.46]

National Park Service (NPS) as a Trustee will provide access to National Park Service lands and personnel as needed for response actions. NPS can provide expert advice and assistance regarding historic sites and archeological issues, and affected natural and marine resources managed by DOI and others. NPS can provide qualified personnel to be part of a Shoreline Cleanup Assessment Team (SCAT), especially in those situations where DOI's resources are affected. When warranted, NPS can provide and maintain closure of park lands affected by the spill. When substantial NPS cultural or natural resources may be adversely affected by the spill, NPS may take on roles within the Incident Command, most likely within the Environmental Unit.

Bureau of Reclamation (BOR) will provide information on current and predicted channel flow volumes for watercourses that are controlled by dams, locks, etc., under the management of BOR.

United States Department of Justice (DOJ)

Department of Justice (DOJ) can provide expert advice on legal questions arising from oil spills and federal agency response, and represents the federal government, including its agencies, in litigation.

United States Department of Labor

Department of Labor (DOL) through its Occupational Safety and Health Administration (OSHA) can provide advice, guidance, and assistance regarding hazards to persons involved in removal or control of oil spills.

United States Department of Transportation (DOT)

US Department of Transportation (DOT) has a responsibility to regulate the transportation of oil and hazardous substances pursuant to the Hazardous Materials Transportation Act.

DOT's Research and Special Programs Administration maintains a Hazardous Materials Information Exchange (HMIX), which is a free computer bulletin board providing valuable chemical information.

Certain agencies within DOT that have some oil spill responsibilities include the following:

Pipeline & Hazardous Materials Safety Administration (PHMSA) oversees the operation of the nation's pipeline transportation system for natural gas, petroleum, and other hazardous materials, and other transportation modes. PHMSA's mission is to assure safety in design, construction, testing, operation, maintenance, and emergency response regarding pipelines and other transportation modes. PHMSA maps the location of major pipelines, which will help government agencies and industry plan for emergencies and respond more effectively during an incident.

Federal Railroad Administration (DOT/FRA) is responsible for enforcing the federal oil and hazardous material requirements for rail and inter-modal forms of transportation (e.g., truck trailers and containers on railcars). In California FRA investigators are located in the Sacramento, San Francisco, and Los Angeles areas.

Federal Aviation Administration (DOT/FAA) carries out enforcement of oil and hazardous materials regulations for air transportation. The FAA could issue orders to restrict and control air space over oil spill response areas.

National Transportation Safety Board (NTSB)

National Transportation Safety Board (NTSB), an independent agency that reports to the U.S. Congress, investigates all major transportation accidents with loss of life, property damage, or special circumstances and determines probable cause. This authority includes oil spill incidents.

SECTION XII – Non-Government Agencies

12.1 Private Sector

Business

It is the responsibility of a business which uses, generates, processes, produces, packages, treats, stores, emits, discharges, or disposes of oil or petroleum products to develop contingency plans. [e.g. GC §8670.28, et seq.; HSC §25503 *et seq*] This includes emergency response planning for incidents within their facilities, and providing employees with proper training and skills to handle in-plant emergencies. They must comply with the specific mandates of the minimum planning regulations adopted by CalEMA and their implementation by local CUPA/AA/PAs and other regulatory agencies. Also, both federal and state regulations require vessels and marine facilities located or doing business in California to submit oil spill contingency plans.

Businesses should be invited to participate in the local planning activities related to prevention of oil spills so that preparedness is reasonable and appropriate to make the best use of local resources.

Businesses must abide by local, state, and federal reporting requirements for oil releases. Throughout the incident, businesses should keep the Incident Commanders informed of information concerning:

- Conditions within the facility which may affect emergency response.
- On-site monitoring for extent of damage.
- Causation.
- Technical advice.

Response and Cleanup Companies

The private sector often has a significant role in oil spill response. If no public response agency is available, initial containment may require a private contractor who will provide the personnel and equipment required to enter a hazardous area. Private sector responders are often used to clean up a release after initial containment has been accomplished. Private cleanup companies will usually require a prior financial commitment from an identified responsible party. However, if a person responsible for an oil spill is unwilling, unable to respond, or is unidentified, a public agency may have to finance cleanup of the release.

Some industries have established response cooperatives. For example, cooperatives have been organized by oil companies to provide equipment and trained personnel for response to oil spills. These cooperatives and contractors are pre-positioned at various locations.

Private oil spill cleanup contractors must comply with all applicable laws and regulations. These include adequate insurance, employee safety and

training requirements, and compliance with transportation requirements. If public funds are being used to pay for the cleanup, the contracting agency should ensure that the contractor is in compliance with the appropriate requirements. Cost control procedures should be addressed in any use of public funds. All agencies that may interact with cleanup contractors are encouraged to establish relationships with available firms so that access, funding, and disposal issues are resolved prior to an incident.

A private cleanup company needs a US EPA hazardous waste identification number, demonstrating the ability to perform proper disposal of hazardous waste. All counties in California have been issued emergency numbers to utilize. For establishing financial responsibility of a company, many contractors use the Dun and Bradstreet number that is required of businesses that file a business response plan as part of the hazardous materials emergency planning and community right-to-know program.

State Rated Marine Oil Spill Response Organizations

For marine oil spill cleanup in California, vessels and facilities generally must use a primary response contractor rated by OSPR, collectively known as oil spill response organizations (OSROs). An OSRO is an individual, organization, association, cooperative, or other entity that can provide equipment, personnel, supplies, or other services directly related to oil spill containment, cleanup, or removal activities. A "Rated OSRO" means an OSRO that has demonstrated to the OSPR Administrator the ability to provide certain response capabilities. [Gov. C. §8670.30; 14 CCR §819 *et seq.*]

Private Vessels

"Vessels of opportunity", such as fishing vessels, may be used to deploy or tow boom and, depending on their size, be equipped with skimming equipment. However, these types of resources are a challenge to utilize because the vessels must meet certain characteristics, crews change over time, vessels are sold, and generally there is no obligation of private vessel owners to prepare for or participate in spill response. The vessels need to have adequate deck space and lifting ability to carry the necessary equipment, and personnel meeting OSHA health and safety requirements.

Per the National Contingency Plan, the National Response Unit of the USCG must coordinate use of private and public personnel and equipment to remove a worst case discharge, and to mitigate or prevent a substantial threat of such a discharge, from a vessel, offshore facility, or onshore facility. [33 USC 1321(j)(2)(C)]

The USCG's Vessel of Opportunity Skimming System (VOSS) can be deployed on a variety of private vessels. The USCG owns and maintains pre-positioned VOSS equipment suites throughout the country at three spill response Strike Teams and at strategic sites within each Coast Guard District. http://www.uscg.mil/d1/response/voss.html

The **Fisherman's Oil Response Team** (FORT) was developed in 1990 by the joint effort of Clean Seas and the Ventura County Commercial Fishermen's Association. Clean Seas maintains contracts with more than 60 commercial fishing vessel owners from San Luis Obispo to Los Angeles/Long Beach to provide oil spill response in the Santa Barbara Channel and southern Central Coast.

The FORT program offers:

- Fishing Vessels, ranging in size, on an as available basis for response.
- Commercial fishermen trained and certified in oil spill response by Clean Seas.
- Vessels that are independently maintained and operated by their own Captain and crew.

Since 1990 Clean Seas has utilized FORT vessels for several oil spills. Fishermen are committed to protecting and preserving the sensitive waters they fish. The dedication, hands on experience, and knowledge provided by commercial fishermen coupled with their training can be significant components of effective oil spill response.

Additional Support Resources

American Chemical Association

The manufacturer of a spilled substance can provide detailed technical information (including special precautions, disposal procedures, etc.) regarding their products and may provide an emergency response team.

Chemical Transportation Emergency Center

The Chemical Transportation Emergency Center (CHEMTREC) is a 24-hour public service of the Chemical Manufacturers Association. It can provide the following:

- Provides immediate technical emergency response information concerning the product(s) involved.
- Precautionary information.
- Assistance in identification of petroleum components, if the manufacturer is known, or shipping papers are present.
- Immediate notification of manufacturers or shippers through their emergency contacts or notification of industry mutual aid networks.
- Phone: 1-800-262-8200 (within the U.S.) or +1 703-741-5500 (from anywhere in the world).

Transportation Company Dispatch Centers

Carriers, including railroads, can be contacted for additional technical information and waybill or cargo manifest readouts (when requested,

CHEMTREC can accomplish this service). Carriers may also provide assistance with chemical and wreckage removal.

Community Awareness and Emergency Response

The Community Awareness and Emergency Response (CAER) program is a non-profit entity of the Chemical Manufactures' Association (CMA). The CAER organization is composed of members of local businesses, industries, utilities, emergency service agencies, related government agencies, and community representatives.

The CAER program encourages chemical plant managers to take the initiative in cooperating with local communities to develop integrated emergency plans for responding to incidents. Because chemical industry representatives can be especially knowledgeable during the planning process and because many chemical plant officials are willing and able to share equipment and personnel during response operation, community planners should seek out local CMA/CAER participants. Even if no such local initiative is in place, community planners can approach chemical plant managers or contact CMA and ask for assistance.

SECTION XIII – Volunteers

13.0 Generally

State agencies granted authority to implement this Plan may use volunteer workers. [GC §8574.3; §8574.7] And specifically for marine oil spills, the Administrator may use volunteer workers in response, containment, restoration, and cleanup efforts. [GC §8670.8.5] However, the California State Government Volunteers Act declares that it is not the intent of the Legislature that volunteers replace or supplant public employees, where such employees are providing services deemed necessary for the government to perform, but that volunteers add new dimensions to providing of governmental services. [See GC §§3110-3112]

Volunteer efforts can both help or hinder emergency response agencies in the process of cleaning up an oil spill. The help comes in the form of individuals or affiliated organizations with a sincere desire to assist. The hindrance comes from spontaneous or unknown volunteers that self-deploy during an incident who do not know the health risks they could face and whose efforts are not coordinated into the organized response actions. Volunteers that self-deploy are not approved by or directed to work by the Unified Command (UC). These types of volunteers may or may not have the appropriate training or expertise and, in most cases, overwhelm the government organizations that are required to clean up the oil spill.

All persons working in hazardous environments, including volunteers, must receive health and safety training specific to the environment where that person is employed. [8 CCR §5192, “HAZWOPER”] Additional training for marine oil spills as appropriate may be provided by the Administrator of OSPR. [GC §8670.8]

No person may enter a designated spill area for the purpose of pursuing or picking up disabled wildlife or transporting or possessing wildlife disabled by an oil spill or other spilled toxic substance unless that person has completed training required by OSPR/CDFW. [14 CCR 679(d)] The location and condition of the wildlife should be noted, and CDFW/OSPR should be contacted.

A person who performs voluntary service without pay for a public agency, as designated and authorized by an agency, shall be deemed to be an employee of the agency while performing such service. [LC §3363.5] Volunteers who are expressly authorized by an appropriate agency or the UC to perform services at an oil spill will be deemed employees of the state for the purpose of workers' compensation for the work they perform. [GC §8574.3; GC §8670.8.5] Any payments for volunteers’ workers' compensation are to be made from the OSRTF or State Water Pollution Cleanup and Abatement Account. [GC §8670.8.5]

Because the California Constitution requires State workers to be sworn in, volunteers may be asked to read and sign an oath of allegiance. (e.g., The CDFW Volunteer Service Agreement - Form 689) [See California Constitution, Article XX, Section 3; GC §3102, 3105, 3107]

Within the Unified Command established for a spill, if needed, a Volunteer Unit will be staffed as part of the Planning Section and report to the Planning Section Chief. The Volunteer Unit is responsible

for managing and overseeing all aspects of volunteer assignments and activities at marine oil spills, including: recruitment; induction/activation; training; operating the Emergency Volunteer Center (EVC); deployment, and oversight of all volunteer activities.

The Unified Command is ultimately responsible for determining whether volunteers should be used and for what purpose. The decision to use volunteers will be based on the size of the spill, impact of the spill, type of product, capability, willingness to manage volunteers, and advice from the Command staff. The Volunteer Unit will be notified that volunteers may be needed or to prepare for volunteer use. All requests for the use of any volunteers must go through the Planning Section to the Volunteer Unit.

The Responsible Party may utilize volunteers according to its oil spill contingency plan, and ultimately is responsible for all costs and benefits associated with the use of volunteers.

Another option is for volunteers to register as unpaid state workers in order to be entitled to Workers' Compensation benefits.

The primary California emergency response volunteer programs are:

- **California Volunteer Program**, managed by the Office of the Governor Volunteer Program;
- **Disaster Services Worker Program**, managed by CalEMA; and
- **Volunteer Program for Marine Oil Spills**, managed by OSPR.

Agency and jurisdiction specific response plans should establish procedures to allow for a well organized, efficient, and safe use of volunteers, including compliance with appropriate health and safety regulations. These plans should provide for the supervision of volunteers by the appropriate local officials knowledgeable in response operations and capable of providing leadership (such as Area or Local Volunteer Coordinators). The plans should also identify the appropriate health and safety training required, and the specific tasks in which volunteers can be used, such as beach surveillance, logistical support, and bird and wildlife recovery and rehabilitation.

13.1 California Volunteers Program

The CaliforniaVolunteers (CV) is lead by a Secretary serving as a member of the Governor's Cabinet. CV is charged with ensuring the coordination of volunteer activities related to disaster response and recovery, including necessary training, equipment, and transportation provisions. CV administers the AmeriCorps portfolio in California, Citizen Corps, and the Cesar Chavez Day of Service and Learning. CV also develops and maintains the California Volunteer Matching Network and guides policy development to support the nonprofit and service fields. More information can be found at: http://www.californiavolunteers.org/index.php;

Executive Order S-02-08
https://www.google.com/url?q=http://gov.ca.gov/news.php%3Fid%3D8864&sa=U&ei=WKptUJi7MISK2gW9t4CYAg&ved=0CAcQFjAA&client=internal-uds-cse&usg=AFQjCNHTnoMLEBviR9apeg3AywV2vxNJSg

Executive Order S-24-06 http://gov.ca.gov/index.php?/executive-order/4900/

13.2 Disaster Services Worker Program

The Disaster Services Worker Program has been established since the early 1950s to protect volunteers from financial loss as a result of injuries sustained while engaged in disaster service activities (workers' compensation insurance coverage), and to provide immunity from liability to protect both the disaster service worker and the political entity in any civil litigation resulting from acts of good faith while providing disaster service. [See GC §3100-3109; §8550-8690.7]

The California Emergency Council (CEC) is mandated to establish a Disaster Services Worker (DSW) Volunteer program including worker classifications, registration requirements, and a means to facilitate workers' compensation coverage. CalEMA provides policy administration and claims review, while the State Compensation Insurance Fund provides for budget administration and claims processing. The DSW program regulations cover training and DSW classifications.

- **Disaster Service** includes those activities authorized by the Emergency Services Act, including the training necessary to engage in such activities.

- **Disaster Councils** (a public agency established by ordinance) provide management of disaster plans and disaster operations of that jurisdiction, and are empowered to register and direct the activities of disaster service workers within their jurisdiction and act as an instrument of the State in carrying out disaster services.

- **Disaster Services Worker** (DSW) is any person who is registered with a disaster council, CalEMA, or a state agency granted authority to register DSWs, for the purpose of enlisting in disaster service without any pay or other consideration. A DSW also includes public employees, and any unregistered person who may be ordered to perform disaster service by an emergency official if immediate assistance is needed to protect life and property ("impressed into service"). A DSW does not include volunteer fire fighters or any paid sheriff's reserve officers. DSW classifications approved by the CEC include the following:

o Animal Rescue, Care & Shelter o Communications o Community Emergency Response Team o Finance & Administrative Staff o Fire o Human Services	o Laborer o Law Enforcement o Logistics o Medical & Environmental Health o Safety Assessment Inspector o Search & Rescue o Utilities

[See 19 CCR §2570 *et seq*.; DSW Volunteer Program Guidelines from CalEMA, http://www.calema.ca.gov/PlanningandPreparedness/Documents/DSWVP%20Guidance%202001.pdf

13.3 Volunteer Program for Marine Oil Spills

Under the OSPR Administrator's Volunteer Program for Marine Oil Spills, OSPR manages two types of volunteer programs:

- OSPR collaborates with U.C. Davis for the Oiled Wildlife Care Network (OWCN) to manage affiliated wildlife organizations and their volunteers to care for and rehabilitate oiled wildlife during a marine oil spill, and to perform search for and collection of oiled wildlife.
- OSPR collaborates with local government emergency volunteer centers or non-government organizations (NGO's) regarding Non-Wildlife Volunteer Programs, to assist in managing unaffiliated or spontaneous volunteers during a marine oil spill.

There are two types of volunteers under OSPR's program that may be utilized during a marine oil spill:

- Affiliated – An individual associated with either a governmental agency or NGO and who has been trained and or registered for a specific role or function at marine oil spills. An example of an affiliated organization is the Oiled Wildlife Care Network (OWCN), administered by U.C. Davis.

- Unaffiliated – A spontaneous volunteer who comes forward following an oil spill event to help with response activities. Unaffiliated volunteers often show up at a spill site and have not been pre-registered or taken the oath. These volunteers, may or may not be experienced or trained, and are not recognized as sanctioned volunteers. They are not eligible for workers' compensation benefits until they register and are sworn in as a "state employee"; they need to be properly trained and assigned to perform tasks according to their level of expertise.

Health and safety is the first priority in decisions regarding the use of volunteers at an oil spill or any other emergency incident. Volunteers should not be assigned to work in areas where there is a known or potential health hazard due to chemical exposure. Additionally, if the Unified Command and/or the incident Safety Officer determines that dangerous conditions exist, volunteers may be restricted from those operations. All persons working with oil must receive specific health and safety training, depending on their task. [See 8 CCR §5192]

In the event of a marine oil spill, the OWCN may be activated. OWCN participant organizations generally utilize both paid staff and unpaid volunteers. However, if more volunteers are needed, the Volunteer Unit may refer unaffiliated volunteers to the OWCN to be registered for the care and processing of oiled wildlife.

OSPR collaborates with local government emergency volunteer centers regarding non-wildlife volunteer programs, to assist in managing unaffiliated or spontaneous volunteers during an incident. The Non-Wildlife Volunteer Plan can be found at:
https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=16089&inline=true

SECTION XIV – Coastal Protection

14.0 Generally

The following subsections are generally relevant to marine oil spills only, and are required to be part of this Plan pursuant to Government Code §8574.7.

14.1 Shipping Lanes and Navigational Aids For Tankers, Barges, and Other Commercial Vessels and Off Coastline; Ship Position Reporting and Communications.

Information regarding these topics can be found in Chapter 2 of Volume 7 of the Coast Pilot, regarding *Navigation Regulations*. http://nauticalcharts.noaa.gov/nsd/coastpilot7.htm

The United States Coast Pilot, published by the National Oceanic and Atmospheric Administration (NOAA), in conjunction with the Federal Aviation Administration (FAA), is a series of nine nautical books (volumes) that cover a wide variety of information important to navigators of U.S. coastal and intracoastal waters, and the waters of the Great Lakes. Most of Coast Pilot information cannot be shown graphically on the standard nautical charts, and is not readily available elsewhere. The topics in the Coast Pilot include, but are not limited to, channel descriptions, anchorages, bridge and cable clearances, currents, tide and water levels, prominent features, pilotage, towage, weather, ice conditions, wharf descriptions, dangers, routes, traffic separation schemes, small-craft facilities, and Federal regulations applicable to navigation.

Additional information about Vessel Traffic Safety can be found at:
http://www.resources.ca.gov/ocean/97Agenda/PDF/5F_vts_031297.pdf.

14.2 Protective Equipment for Sensitive Environmental Areas along the Coastline and Emergency Response Vessels.

An owner or operator who is required to submit a marine water oil spill contingency plan must, among other things, identify and ensure by contract or other approved means the availability of personnel and equipment necessary to respond to all contingency plan requirements. Plan holders that have a contract or other approved means for the booming, on-water recovery and storage, and shoreline protection services of a Rated OSRO do not have to list that OSRO's response resources in their contingency plan. A Rated OSRO has received an OSRO Rating Letter (ORL) from OSPR regarding the services it provides; the equipment is listed in the OSRO's application for a rating. OSRO applications are kept on file with the Readiness Unit of OSPR. [See subsection 12.1 on OSRO's]

The rating application must include a description of the area of operation for the OSRO, where equipment is stored or moored, and the personnel available to respond. The application also must indicate whether equipment and personnel are company owned and controlled, or subcontracted (including subcontractor's name), and indicate equipment and personnel that are either used only for spill response ("dedicated") or is not solely limited to response usage ("non-dedicated").

There are no similar requirements for inland waters.

14.3 Emergency Response Vessel Study

From 1999 to 2002, the Pacific States/British Columbia Oil Spill Task Force and the US Coast Guard, Pacific Area, co-sponsored a West Coast Offshore Vessel Traffic Risk Management (WCOVTRM) Project. The goal of the project was to reduce the risk of collisions or drift groundings caused by vessel traffic transiting 3 to 200 nautical miles off the West Coast between Cook Inlet in the north and San Diego in the south.

The Project involved a Workgroup that collected and reviewed data on typical coastwise traffic patterns, traffic volume, existing management measures, weather data and ship drift patterns, historic casualty rates by vessel type, the availability of assist vessels, the environmental sensitivity of the coastlines, socio-economic consequences of a spill, and projections of relevant future initiatives. Vessels of concern included tank, cargo/passenger, and fishing vessels of 300 gross tons or larger, as well as tank barges. Using the drift and tug availability data, they modeled likely tug response times under both average and severe weather conditions.

The Project involved a Workgroup of representatives from the following interests: the oil spill agencies in Alaska, Washington, Oregon, and California, and the Province of British Columbia; the US Coast Guard Districts 17, 13, and 11; the Canadian Coast Guard, Pacific Region; NOAA (both Hazmat and National Marine Sanctuaries); Environment Canada; the US Navy; the Canadian Maritime Forces; the Cook Inlet Regional Citizens' Advisory Council; the BC Chamber of Shipping; the BC Council of Marine Carriers; the Puget Sound Steamship Operators' Association; the Puget Sound Marine Exchange; the Portland Merchants Exchange; the Port of Portland; Save Our Shores; the California Coastal Commission; the Western States Petroleum Association; the Council of American Master Mariners; the American Waterways Operators, Pacific Region; Teekay Shipping (for INTERTANKO); and the Pacific Merchant Shipping Association.

See *Five-Year Implementation Status Review of the 2002 West Coast Offshore Vessel Traffic Risk Management Project Recommendations, October 2008*
http://www.oilspilltaskforce.org/docs/wcovtrm_5_year_status_review_report.pdf

14.4 A Decision Making Process for Dispersant Use in Coastal Waters.

The decision making process for use of dispersants can be found in subsection 5.3.2 of this Plan. The California Dispersant Plan and Federal On-Scene Coordinator checklist for California Federal Offshore Waters can be found at:
https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=15889&inline=true

14.5 Rehabilitation Facilities for Wildlife Injured By a Marine Oil Spill

The OSPR Administrator is required to establish a network of rescue and rehabilitation stations for sea birds, sea otters, and other marine mammals affected by oil spills in marine waters. [See GC '8670.37.5; 8670.48(l)] This network is the Oiled Wildlife Care Network (OWCN) and it is a cooperative system of specialized wildlife health centers and organizations. The OWCN is administered by the Wildlife Health Center at UC Davis. The Wildlife Health Center has a Memorandum of Understanding with OSPR for operation of the OWCN to establish and equip wildlife

rescue and rehabilitation stations, and provide services to rescue and rehabilitate oiled wildlife. The OWCN is integral to Wildlife Operations activities during a spill. [See section 4.3]

The OWCN maintains a corps of veterinarians, paid staff, and professionally-trained volunteers. The OWCN enlists over 30 academic, private non-profit, and rehabilitation organizations to actively participate during oil spill responses, and consists of nine permanent wildlife care facilities along the California coast for use during a spill. If a particular wildlife care facility becomes overwhelmed, then additional facilities can be utilized. For more information on the OWCN, see www.owcn.org.

14.6 Assessment of Activities That Usually Require a Permit from a State or Local Agency May Be Expedited or Issued By the Administrator In The Event Of an Oil Spill

Some agencies indicate they require issuance of a relevant permit mandated by that agency, during the spill response operations. However, these permits might be "expedited" or the permit may be required after the emergency response actions have taken place (i.e. retroactive permit). On the other hand, some agencies may take the position that a particular permit is not needed in emergency situations.

Regarding collection and handling of wildlife, only the CDFW, federal wildlife trustee agencies, or entities with permits or other authorization will be allowed to collect or handle wildlife.

14.7 Temporary Closure of Commercial and Sport Fishing and Harvesting May Be Issued By the Administrator In The Event Of an Oil Spill

The CDFW is responsible for closing sport and commercial fisheries as necessary to protect public health following marine spills based on health assessments and recommendations by OEHHA. [FGC §5654, 7715] OEHHA will assess the risks from fishing and consuming fish in the impacted area. OEHHA's assessment will be used to determine whether closure of commercial or recreational fishing is necessary, the aerial extent of the closure, and a likely period of closure. OEHHA and CDFW/OSPR will coordinate sampling and analysis of fish and shellfish in the area impacted by a spill to determine when fish and shellfish are safe to consume and the temporary closure can be lifted.

DPH is required to close shellfish growing areas if DPH determines chemical substances have affected shellfish. [HSC 112150-112280; FGC 7715]

SECTION XV – Environmentally & Ecologically Sensitive Areas

15.0 Generally

The following subsections are generally relevant to marine oil spills only, and are required to be part of this Plan pursuant to Government Code §8574.7.

15.1 Area Contingency Plans

The laws enacted in response to the catastrophic oil spills of 1989 (*Exxon Valdez*) and 1990 (*American Trader*) required oil spill contingency planning for both State and Federal Governments. The USCG and OSPR agreed to joint preparation of contingency plans and co-chairing of the three USCG Port Area Committees for Area Contingency Planning, for areas San Francisco, Los Angeles/Long Beach, and San Diego.

In a State with rich environmental resources, the Area Committee planning process is a proactive effort to deal with potential oil releases inherent in California's petroleum dependent economy and culture. This planning process is open to all stakeholders and has involved representatives from over 50 stakeholder groups, including environmental groups, city and county agencies, special districts, California State agencies, the Federal government, and industry. These organizations have come together to produce a comprehensive planning document that serves as a "one stop" marine pollution response plan for the three port areas and the included six geographical sections of the California Coast. The three Port Area Contingency Plans provide guidance for the first 24 hours of response, and each of the six coastal subdivisions have provided detailed evaluation and recommendations for protection of the State's shoreline resources. See ACP tab at http://www.dfg.ca.gov/ospr/

15.2 Sensitive Site Identification and Protection Strategies

Protection of environmental resources has the highest priority after human health and safety. Both Federal and State laws require that sites having special environmental sensitivity be identified and provisions be made to protect or otherwise mitigate for the site impacts from spills. In California these locations are termed sensitive environmental sites. Examples of sensitive sites include wetlands; estuaries; lagoons with emergent vegetation (e.g., marsh, riparian); habitats of species that are listed or candidates for listing as rare, threatened, or endangered; sites with significant concentrations of vulnerable and/or sensitive species; species experiencing significant population declines though not yet threatened; and culturally sensitive areas.

The selection of sensitive sites and development of specific protection strategies to meet the site specific needs are conducted using a standardized protocol to ensure consistency for California's entire coast. Each site has an environmental sensitivity ranking (A – Extremely Sensitive; B - Very Sensitive; or C - Sensitive) that help to define the environmental sensitivity of the area and its resources at risk. In addition, economic sensitive sites (e.g., industrial water intakes, marinas, etc.) may be identified and ranked (D- High Water Quality Economic Sites, E - Direct Water Use Economic Sites, F – Indirect Water Use Economic Sites) through the Area Committee process. Descriptions and locations of designated sensitive sites are maintained in the Area Contingency Plans. [See ACP Volume II Section 9800]

The process of site visits, training exercises, and discussions is used by trustees and response experts to exchange concerns and feasibility limitations in developing protection strategies for sensitive sites. Using this approach, the local Area Committee incorporates input of State and Federal trustees, and private entities (industry, spill response coops and contractors, non-governmental environmental groups, and other agencies) to form consensus on the appropriate site protection strategies and response resources. The Committee devises strategies based on new knowledge, such as testing of existing strategies, and adapts to changing conditions.

LKS does not specifically call out economic sites as a category for the SOSCP to address. However, economic importance is one criterion to be used in the identification and prioritization of environmentally and ecologically sensitive areas. [Gov. C. 8574.7(d)(1)] ACP's must describe the area covered by the ACP, including the areas of special economic or environmental importance that might be damaged by a discharge. [33 USC 1321(j)(4)(C)(ii); 40 CFR 300.210(c)(3)(i); 40 Part 300, Appx. E, 4.1.3]

15.3 Response Prioritization

Generally there are three protection priorities during spill response. They are: protection of human health and safety; protection of environmental resources; and protection of economic resources. Sites predetermined to be critical to the preservation of human health including drinking water intakes, intakes for power and desalinization plants, although not identified in the ACPs for security reasons, should be considered a high priority for protection.

The Unified Command (UC), through the Environmental Unit, will make the final decision regarding the protection priorities for environmental sensitive sites based on three considerations: Which sites are at risk (how soon will the oil arrive at each sensitive site); the predefined hierarchy of protection priorities for sensitive sites; and the time and response resources available to implement protection. The UC can use the predetermined response strategies for environmentally sensitive sites, but the UC needs to be flexible and capable of responding to changes in environmental conditions and other factors that may have a significant impact on the proposed strategies.

15.4 Sensitive Site Strategy Exercise Program

The Sensitive Site Strategy Exercise Program (SSSEP) is a program by which OSPR tests and evaluates the readiness and effectiveness of oil spill response strategies that protect designated environmentally sensitive resources along California's Coast. Under the Area Contingency Plans, if basic countermeasures do not remove an oil spill threat, then defensive actions must be employed to prevent, minimize or mitigate threats to public health, welfare, and the environment. The protective response strategies which are the subject of SSSEP provide such defensive actions.

SSSEP consists of site-specific exercises designed to test the protection strategies, and to ensure the Oil Spill Response Organizations (OSRO) are familiar with the locations of the sites and the response strategies. Each site-specific exercise involves OSRO deployment and retrieval of mechanical shoreline protective and recovery equipment, and implementation of measures to protect sensitive resources at the site. OSPR and the OSRO will evaluate the effectiveness of each site-specific response strategy after the exercise.

15.5 Shoreline Protection Tables

The Shoreline Protection Tables (SPTs) set forth planning requirements for shoreline protection from spills from tank vessels and nontank vessels transiting in California's marine waters. The owner or operator of a tank vessel or nontank vessel must demonstrate through contracts or other approved means the response resources necessary to protect each type of shoreline and all applicable sensitive sites as outlined in the appropriate SPTs. [14 CCR §815.05(b) and §825.05(a)]

Based on these SPTs the owner/operators will be able to ascertain the type of equipment that must be available to achieve the appropriate response strategies necessary to protect the shoreline types that could be affected. In addition, for small harbors, a Small Harbor Table is included to define preparedness levels for these unique areas. For the purpose of meeting these requirements contracts for shoreline protection services can only be made with OSROs rated by OSPR.

The requirements set forth in the SPTs are planning standards and may not reflect the exigencies of actual spill response. However, these are the standards that must be used to determine the amount of equipment and personnel that must be available under contract or other approved means. The owner/operator is ultimately responsible for protecting the sensitive sites identified from the entire volume of an actual spill regardless of the planning volume.

An owner/operator may propose alternatives to what is listed in the SPTs for boats and staff only. The proposal may be tested by the Administrator anytime prior or subsequent to approval.

To the greatest extent possible, California has endeavored to be consistent with the scope and intent of the Federal oil spill response regulations and the Area Contingency Plans completed by the USCG, state agencies, and local governments, with public participation, as required by the Oil Pollution Act of 1990 (33 USC §2701, et seq.). The SPTs will be reviewed and updated as appropriate by OSPR.

The SPTs can be found at: http://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=21978&inline=true

SECTION XVI – Appendices

Appendix A

ACRONYMS

A
AA Administering Agency
ABAG Association of Bay Area Governments
ABST Above Ground Storage Tank
ACP Area Contingency Plan
AG Attorney General
AMBAG Association of Monterey Bay Area Governments
APCD Air Pollution Control District
APCO Air Pollution Control Officer
AQMD Air Quality Management District
ARB California Air Resources Board
ARC American Red Cross
ATSDR Agency for Toxic Substances and Disease Registry

B
BCDC San Francisco Bay Conservation and Development Commission
BIA Bureau of Indian Affairs
BLM Bureau of Land Management
BOEMRE Bureau of Ocean Energy Management, Regulation, and Enforcement
BOM Bureau of Mines
BOR Bureau of Reclamation
BRC Below Regulatory Concern

C
CA California
CAC County Agricultural Commissioner
CAER Community Awareness and Emergency Response
CalEMA California Emergency Management Agency
Cal/EPA California Environmental Protection Agency
CALCORD California On-Scene Emergency Coordination Channel
CALNET Automatic Telecommunications Switching System
CalOSHA California Occupational Safety and Health Administration
Caltrans California Department of Transportation
CAMEO Computer Aided Management of Emergency Operations
CAP Civil Air Patrol
CAS Chemical Abstract Service
CCC California Conservation Corps or California Coastal Commission, based on context
CCR California Code of Regulations
CDC Centers for Disease Control
CDC California Department of Corrections

CDF California Department of Forestry and Fire Protection (CalFire)
CDFA California Department of Food and Agriculture
CDFW California Department of Fish and Wildlife
CEC California Energy Commission
CEPRC Chemical Emergency Planning and Response Commission
CERCLA Comprehensive Emergency Response, Compensation, and Liability Act
CESRS California Emergency Services Radio System
CFR Code of Federal Regulations
CHEMTREC Chemical Transportation Emergency Center
CHLOREP Chlorine Emergency Program
CHP California Highway Patrol
CHMIRS California Hazardous Materials Incident Reporting System
CIWMB California Integrated Waste Management Board
CLEMARS California Law Enforcement Mutual Aid Radio System
CLERS California Law Enforcement Radio System
CNG California National Guard
COHWMP County Hazardous Waste Management Plan
COTP Captain of the Port (USCG)
CPG Civil Preparedness Guide
CRC Coastal Resource Coordinator
CSTI California Specialized Training Institute
CUPA Certified Unified Program Agency
CVC California Vehicle Code
CWA Clean Water Act

D
DEA Drug Enforcement Administration
DHS California Department of Health Services
DOC Department of Commerce
DOD Department of Defense
DOE Department of Energy
DOGGR Division of Oil, Gas, and Geothermal Resources (Department of Conservation)
DOI Department of the Interior
DOJ Department of Justice
DOL Department of Labor
DOT Department of Transportation
DPR California Department of Parks and Recreation
DPR California Department of Pesticide Regulation
DTG Date/Time Group
DTSC California Department of Toxic Substances Control
DWR California Department of Water Resources

E
EERU Environmental Emergency Response Unit
EMB Environmental Management Branch
EMS Emergency Medical Services
EMSA Emergency Medical Services Authority
EOC Emergency Operations Center

EOD Explosive Ordinance Disposal
US EPA Environmental Protection Agency
EPCRA Emergency Planning and Community Right-to-Know
ERCC Emergency Response Coordinating Committee
ERG Emergency Response Guidebook
ERPG Emergency Response Planning Guidelines
ERT Environmental Response Team
EUL Environmental Unit Leader

F
FAA Federal Aviation Administration
FAX Facsimile
FDA Food and Drug Administration
FEMA Federal Emergency Management Agency
FGC Fish & Game Code
FHA Federal Highway Administration
FIRESCOPE Firefighting Resources of California Organized for Potential Emergencies
FOSC Federal On-Scene Coordinator
FRA Federal Railroad Administration
FRERP Federal Radiological Emergency Response Plan
FRMAC Federal Radiological Monitoring and Assessment Center
FTS Federal Telephone System

G
GC Government Code

H
HAZWOPER Hazardous Waste Operations and Emergency Response
HEAR Hospital Emergency Administrative Radio System
HHS Health and Human Services
HMICP Hazardous Materials Incident Contingency Plan
HMIS Hazardous Materials Incident Reporting System
HMIX Hazardous Materials Information Exchange
HSC Health and Safety Code
HWSF Hazardous Waste Strike Force

I
IC Incident Commander
ICAO International Civil Aviation Organization
ICS Incident Command System
IDLH Immediately Dangerous to Life and Health
IH Industrial Hygienist
IMH Incident Management Handbook
IMO International Maritime Organization
IO Information Officer
ISO Incident Safety Officer

J
JIC Joint Information Center
JPA Joint Powers Agreement

L
LEPC Local Emergency Planning Committee

M
MACS Multi-Agency Coordination System
MHFP Multi-Hazard Functional Plan
MOU Memorandum of Understanding
MSO Marine Safety Office
MW Megawatt

N
NBS National Biological Service
NCP National Contingency Plan
NFPA National Fire Protection Association
NIMS National Incident Management System
NMFS National Marine Fisheries Service
NOAA National Oceanic and Atmospheric Administration
NPAC National Poison Antidote Center
NPFC National Pollution Fund Center
NPP Nuclear Power Plant
NPS National Park Service
NRC National Response Center or Nuclear Regulatory Commission, depending on context
NRDA Natural Resource Damage Assessment
NRDAR Natural Resource Damage Assessment and Restoration
NRT National Response Team
NSF National Strike Force (or National Science Foundation)
NTSB National Transportation Safety Board

O
OASIS Operational Area Satellite Information System
OEHHA Office of Environmental Health Hazard Assessment
OHMT Office of Hazardous Materials Transportation
OSC On-Scene Coordinator
OSHA US Department of Labor, Occupational Safety and Health Administration
OSPR Office of Spill Prevention and Response

P
PEL Permissible Exposure Limit
PHMSA Pipeline and Hazardous Materials Safety Administration
PIAT Public Information Assist Team
POLREPS Pollution Reports
PPE Personal Protective Equipment
PRC Public Resources Code
PST Pacific Strike Team (USCG)

PUC Public Utilities Commission or Public Utilities Code, depending on context

R
RACES Radio Amateur Civil Emergency Services
RAPID Railroad Accident Prevention and Immediate Deployment force
RCP US EPA Region IX, Regional Contingency Plan
RP Responsible Party
RRT Regional Response Team
RSPA Research and Special Programs Administration
RWQCB Regional Water Quality Control Board

S
SARA Superfund Amendments and Reauthorization Act
SCAG Southern California Association of Governments
SCBA Self-Contained Breathing Apparatus
SEMS Standardized Emergency Management System
SERC State Emergency Response Commission
SFM California State Fire Marshal
SOSC State On-Scene Coordinator
SLC State Lands Commission
SM Scene Management
SOC State Operations Center
SOP Standard Operating Procedures
SPCC Spill Prevention Containment and Countermeasures
SRL Sanitation and Radiation Laboratory
SSC Scientific Support Coordinator
SSEP OSPR Scientific Study and Evaluation Program
SSSEP OSPR Sensitive Site Strategy Exercise Program
STEL Short Term Exposure Limit
STORMS Standard Oil Spill Response Management System
SWRCB State Water Resources Control Board

T
TAC Technical Advisory Committee
TAT Technical Assistance Team
TLA Three Letter Acronym
TLV Threshold Limit Value
TLV-STEL Threshold Limit Value – Short Term Exposure Limit
Tool Kit Hazardous Materials Incident Tool Kit (a CalEMA document)

U
USCG United States Coast Guard
USDA United States Department of Agriculture
USEPA United States Environmental Protection Agency
USFS United States Forest Service
USFWS United States Fish & Wildlife Service
USGS United States Geological Survey
UST Underground Storage Tank

V

VC Vehicle Code

W

WC Water Code

Appendix B

LETTER OF PROMULGATION

The California Oil Spill Contingency Plan was developed pursuant to Government Code §8574.1 *et seq*. The Plan is a tool for coordinating response to oil spills in California, and is in effect as of the date of signature below. Future substantive changes to the plan will be numbered consecutively and the date of revision noted. Agencies and individuals should review this Plan annually, and may submit any comments or proposed changes to:

Administrator
Office of Spill Prevention and Response
The Deprartment
P.O. Box 944209
Sacramento, CA 94244-2090
916.445.9338

December 2012
Thomas M. Cullen, Jr.
Administrator
Office of Spill Prevention and Response

Appendix C

STATUTORY REQUIREMENTS

The Governor is required to establish a State Oil Spill Contingency Plan, and the OSPR Administrator is required to implement the Plan. The Plan must provide an integrated and effective procedure to combat the results of major oil spills within the state. [GC §8574.1; GC §8574.2; GC §8670.7; GC ' §8670.5]

There are several topics that are required by statute to be discussed in this Plan. The following table is a cross reference of those topics and where they are addressed in the Plan:

Content	**Plan Section or Explanation**
The Plan must specify state agencies to implement the Plan. GC §8574.2	2.2
State agencies granted authority to implement a Plan adopted under this article may use volunteer workers. GC §8574.3	13.0 – 13.3
The volunteers shall be deemed employees of the state for the purpose of workers' compensation under Article 2 (commencing with Section 3350) of Chapter 2 of Part 1 of Division 4 of the Labor Code. GC §8670.8.5	13.0
Any payments for volunteers' workers' compensation shall be made from the OSRTF or State Water Pollution Cleanup and Abatement Account. GC §8670.8.5	13.0
State agencies designated to implement the State Oil Spill Contingency Plan shall account for all state expenditures made under the Plan with respect to each oil spill. GC §8574.4	10.0
Expenditures related to an oil spill in marine waters shall be paid from the OSRTF. All other expenditures shall be from the State Water Pollution Cleanup and Abatement Account in the State Water Quality Control Fund. GC §8574.4	10.0
If the party responsible for the spill is identified, that party shall be liable for the expenditures accounted for under this section, in addition to any other liability which may be provided for by law, in an action brought by the Attorney General. GC §8574.4	10.0
The proceeds from an action against a party responsible for an oil spill in marine waters shall be paid into the Oil Spill Response	11.0

Trust Fund. GC §8574.4	
The state Oil Spill Contingency Plan must include a **marine oil spill contingency planning section** that provides for the best achievable protection of the coast and marine waters and that consists of all of the following elements: GC §8574.7(a)(b)(c)(d)	
(a) A state **marine response element** that specifies:	
• The hierarchy for state and local agency response to spills.	3.0 – 3.4 11.1 – 11.2
• The element shall define the necessary tasks for oversight and control of cleanup and removal activities associated with a marine oil spill and shall specify each agency's particular responsibility in carrying out these tasks.	3.0 – 3.4 11.1 – 11.2
• The element shall also include an organizational chart of the state marine oil spill response organization and a definition of the resources, capabilities, and response assignments of each agency involved in cleanup and removal actions in a marine oil spill.	4.0 + ICS *Figure 1* 3.0 – 3.4 11.1 – 11.2 Also in the State Emergency Plan
(b) A **regional and local planning element** that shall provide the framework for the involvement of regional and local agencies in the state effort to respond to a marine oil spill, and shall ensure the effective and efficient use of regional and local resources in all of the following:	3.0 – 3.4 4.2 + ICS *Figure 1* 11.1 – 11.2
(1) Traffic and crowd control.	11.1 - Law Enforcement.
(2) Firefighting.	11.1 - Fire Protection
(3) Boating traffic control.	11.1 – Boating & Vessel Traffic Control
(4) Radio and communications control and provision of access to equipment.	7.0
(5) Identification and use of available local and regional equipment or other resources suitable for use in cleanup and removal actions.	11.1 15.5 ACP §5210
(6) Identification of private and volunteer resources or personnel with special or unique capabilities relating to marine oil spill cleanup and removal actions.	13.0 – 13.3 12.2 – FORT, OSROS, Private Industry
(7) Provision of medical emergency services.	12.2 - EMSA
(8) Consideration of the identification and use of private working craft and mariners, including commercial fishing vessels and licensed commercial fishing men and women,	12.2 – FORT, OSROs, Private Industry

in containment, cleanup, and removal actions.	
(c) A **coastal protection element** that establishes the state standards for coastline protection. The Administrator, in consultation with the State Interagency Oil Spill Committee, the US Coast Guard and US Navy, and the shipping industry, shall develop criteria for coastline protection. If appropriate, the administrator shall consult with representatives from the States of Alaska, Washington, and Oregon, the Province of British Columbia in Canada, and the Republic of Mexico. The criteria shall designate at least all of the following:	14.0 – 14.6
(1) Appropriate shipping lanes and navigational aids for tankers, barges, and other commercial vessels to reduce the likelihood of collisions between tankers, barges, and other commercial vessels. Designated shipping lanes shall be located off the coastline at a distance sufficient to significantly reduce the likelihood that disabled vessels will run aground along the coast of the state.	14.1
(2) Ship position reporting and communications requirements.	14.1
(3) Required pre-deployment of protective equipment for sensitive environmental areas along the coastline.	14.2
(4) Required emergency response vessels that are capable of preventing disabled tankers from running aground.	14.2 14.3
(5) Required emergency response vessels that are capable of commencing oil cleanup operations before spilled oil can reach the shoreline.	14.2 12.1
(6) An expedited decision making process for dispersant use in coastal waters. Prior to adoption of the process, the administrator shall ensure that a comprehensive testing program is carried out for any dispersant proposed for use in California marine waters. The testing program shall evaluate toxicity and effectiveness of the dispersants.	5.3.2 14.4
(7) Required rehabilitation facilities for wildlife injured by (marine) oil spill.	14.5.
(8) An assessment of how activities that usually require a permit from a state or local agency may be expedited or issued by the administrator in the event of an oil spill.	14.6. 11.2

(d) An **environmentally and ecologically sensitive areas element** that shall provide the framework for prioritizing and ensuring the protection of environmentally and ecologically sensitive areas. The environmentally and ecologically sensitive areas element shall be developed by the administrator, in conjunction with appropriate local agencies, and shall include all of the following:	16.
(1) Identification and prioritization of environmentally and ecologically sensitive areas in marine waters and along the coast. Identification and prioritization of environmentally and ecologically sensitive areas shall not prevent or excuse the use of all reasonably available containment and cleanup resources from being used to protect every environmentally and ecologically sensitive area possible. Environmentally and ecologically sensitive areas shall be prioritized through the evaluation of criteria, including, but not limited to, all of the following:	15.2 15.1 15.3
(A) Risk of contamination by oil after a spill.	15.1
(B) Environmental, ecological, recreational, and economic importance.	15.1 15.3
(C) Risk of public exposure should the area be contaminated.	15.1
(2) Regional maps depicting environmentally and ecologically sensitive areas in marine waters or along the coast that shall be distributed to facilities and local and state agencies. The maps shall designate areas that have particularly high priority for protection against oil spills.	15.1 Area Contingency Plans
(3) A plan for protection actions required to be taken in the event of an oil spill for each of the environmentally and ecologically sensitive areas and protection priorities for the first 24 to 48 hours after an oil spill shall be specified.	15.3 15.6
(4) The location of available response equipment and the availability of trained personnel to deploy the equipment to protect the priority environmentally and ecologically sensitive areas.	12.1 15.5
(5) A program for systemically testing and revising, if necessary, protection strategies for each of the priority environmentally and ecologically sensitive areas.	15.4
(6) Any recommendations for action that cannot be	15.7

financed or implemented pursuant to existing authority of the administrator, which shall also be reported to the Legislature along with recommendations for financing those actions.	
Spill Reporting Standard: Discharges or potential discharges of less than one barrel of oil (42 gallons) do not need to be reported to the California State Warning Center unless a more restrictive reporting standard is adopted in the California Oil Spill Contingency Plan. GC §8670.25.5(d); GC §8670.26	Section I

Appendix D

RECORD OF CHANGES

Updated pages should be inserted in the proper place and the obsolete pages discarded. The holder of this plan should record the receipt of each revision on this form.

Person entering the change	Page # affected	Date of Change	Comments